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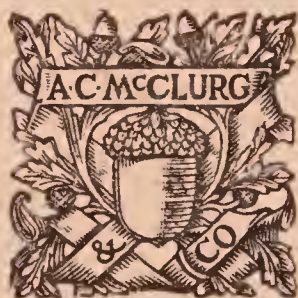
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THE ROUND-UP

THE ROUND-UP

A story of ranchmen, cowboys, rustlers, and bad-men happening in the days when the great Southwest was being won for civilization

By
OSCAR J. FRIEND



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To

HUGH PENDEXTER

*my friend and kindly critic, is this story of the
old Southwest affectionately dedicated*

AUTHOR'S NOTE

WHILE this story of perhaps the most widely known and most maligned part of the old Southwest makes no pretense of chronicling history, being purely a work of fiction, still it does not take undue liberties with the country, the time, or the people — with the two exceptions that there were no open saloons and that the Indian Territory had no state or county laws and officials until admission to statehood in 1907. Therefore, if the reader will mentally place the judge upon a Federal bench, substitute a United States Marshal for the sheriff, and a deputy marshal for the deputy sheriff this novel will be found a fairly faithful presentation of this last frontier of the bad gunman and the outlaw.

OSCAR J. FRIEND.

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The Round-Up

PROLOGUE

THE road followed the winding and rising foothills, here a sandy pass, there a rocky trail, through wooded gaps and at the bottom of barren canyons, ever ascending toward the wilderness of the Kimish Mountains. Somewhere to the north Mount Magazine reared its stately head, highest point between the two mighty chains of mountains which stood like tremendous bulwarks along the east and the west coasts of God's country.

The wagon had once been a sprightly painted, sturdy structure, a delight of red wheels and green body. But that had been long ago and the sun and the weather had been so merciless that no particle of its former glory remained. The wood was weather-worn to a deep gray in which the very fibers of the original tree now showed. Bit by bit, the bed had been replaced with rough-hewn boards of pine and oak. But the steel rims were good, the spokes were strong and the vehicle held firmly together. And the two horses that pulled the wagon were strong, capable specimens of horse flesh.

The man who drove the team was an ordinary looking individual. His hat was a greasy, bat-

tered felt that had once cost two-fifty at the general store in Waldron. His shirt was of faded blue like his denim, patched overalls. His feet were encased in a pair of rough brogans of cowhide. He needed a shave. He was dusty and smelled strongly of sweat, the back of his shirt and his armpits wet with moisture. His hair was uncut and dirty looking. Altogether, he was not an alluring picture for an esthete.

But Hugh Martin's eyes were of a kindly blue, a quizzical, friendly gleam in them that made friends instantly with stray dogs and stubborn horses. He spat over the edge of the right wheel, a tiny globule of tobacco-stained saliva clinging unheeded to his chin, and gazed about him at the rising hills with deep appreciation.

It was early summer in the year 1888 and Martin was returning from his semiannual forty-mile trip to the railroad for hunting and fishing supplies. In the wagon behind him was piled a scant six months supply of "store-bought" groceries. Within reach of his hand lay his double-barreled shotgun, for this southerly-flung tendril of the Ozark Mountains fairly teemed with wild game.

It was just as he dipped into a little vale before ascending a steeper grade that he saw the wearily plodding figure before him. The walker turned his head at the sound of jingling harness and rumbling wheels. He halted under the shade of a young oak and shoved back his hat.

As Martin drew abreast of the other he halted his team.

"Goin' fer?" he asked genially.

"Yep. Texas," returned the walker.

"I kin give ye uh twenty mile lift. Sorry I ain't goin' no further, stranger. C'mon an' climb in."

"I'm shorely much obliged," thanked the walking man. "I'm powerful tired."

He climbed over the lefthand wheel, a heavy powerful figure of a man, and relaxed in the hot, springless seat with a sigh of relief. Martin spoke to his team and they moved on.

"Likely team yuh got, friend," commented the stranger after a brief appraisal.

"Prince and Dollie make uh purty good pair," agreed Martin. "They're half-brother an' sister. Dollie's six an' Prince's four. My name's Martin, Mister."

"—to meetcha. Mine's Thompson. I come from southern Missouri."

"This ain't uh very good way to Texas from Missouri," said Martin. "Now, 'round th'ough Oklahoma is uh more likely way. These here hills is mighty rough."

"Uh huh," grunted Thompson. "So I found out. Arkansaw is all rough country, ain't it?"

"T'ain't so bad to th' east an' south," defended Martin. "Hit's uh plumb good state an' she's gonna 'mount to sumpin' some day."

"Yuh live hereabouts?" queried Thompson.

“ ‘Bout twenty mile up in th’ mountings. I been to th’ railroad after supplies. Ye’re travelin’ kinda light fer sich uh long trip, ain’t ye? Better stop over fer uh short spell. This country ain’t so thickly settled. Mebbe ye might like to stay. They’s good huntin’ an’ fishin’ an’ in th’ fall an’ winter they’s good trappin’.”

Thompson studied his companion in lazy contentment as the other described the virtues of these barren hills. A life lost amid such surroundings was unthinkable—but Martin did have a good team, and riding in a battered farm wagon filled with six months’ supplies beat walking by a whole lot. He half-closed his eyes and watched the sleek backs of the bobbing horses.

Martin chatted on, unmindful of his dozing listener, pointing out spots where bear had been killed, where John Tander had lost his life, where Zeke Rytte’s cabin burned down in the feud with the Lilfields. He expressed his contempt for the “revenueurs” in no uncertain terms and was no less vehement in his regard for his beloved hills.

“Why don’tcha put uh cover on yore wagon?” asked Thompson suddenly.

“I generally do when th’ wimminfolks goes with me. But I was in uh hurry yestiddy an’ I couldn’t find th’ bows. Th’ sheet is layin’ under thet stuff in th’ wagon.”

“Oh! Yuh go down one day an’ come back th’ next?”

"Sometimes hit takes longer. Jes' depends. I never stay longer'n three or four days no time."

Thompson relapsed into silence.

"Now if ye want to stop fer uh spell," continued Martin hospitably, "I'll jes' drive ye right on up to my place an' th' woman kin put ye up fer uh bit. But if ye want to go on, I'll pint out th' best road th'ough th' mountings. They's three forks up further."

"Point 'er out," said Thompson.

They rode for a time without speaking, Thompson lost in introspection. A turn in the road ahead brought three branches to the trail into view.

"Th' left fork leads kinda south an' towards Texas," said Martin, "but hit's purty rough. Th' middle fork leads west into th' Indian Territory. She's uh purty fair trail but th' people're purty bad they tell me. Up 'long th' border 'round Fort Smith, they claim they is bad uns. Th' right-hand fork goes up 'long th' creek to my place an' uh few settlers out that way."

"How far up this way yuh live?" queried Thompson.

"'Bout fifteen mile."

"Don't they nobody live 'round here?"

"Nope."

"Alright. Drive on up th' righthand fork. I'll go with yuh for uh while," announced Thompson.

Pleasantly surprised, Martin turned his horses into the homeward trail and leaned forward to speak to them.

"Yuh say they's much shootin' 'round here?" asked Thompson carelessly, reaching back and drawing the shotgun to him.

"Lots," stated Martin. "Too late in th' season fer turkey now though. Be keerful! Th' gun's loaded. Ye kin git plenty of squirrels now. Oughta have uh rifle fer thet though. Git 'long thar, Dollie. Don't make Prince do hit all. Yes-sir, this is uh fine pair of hosses. I——"

There was a deafening explosion and the gun in Thompson's hand kicked violently against the discharge. The left half of Martin's head seemed to jump off and disappear into space. He keeled forward from the shock of the heavy shot, the reins falling from his nerveless hands.

The pair of horses jumped in terror at the sound of the shot and sprang forward in a runaway gait. Thompson dropped the gun, which fell out into the road, and caught the falling Martin with one muscular hand while he grasped the reins with another.

Tumbling his victim back into the wagon he quickly brought the startled team to a halt. Getting out, he proceeded to quiet the animals while he looked sharply up and down the trail for signs of other travelers. He saw nothing but the shimmering heat waves along the road and heard nothing but the insect life of the wooded slopes about him.

Quickly he tumbled the body of the murdered man out into the road and went through the pock-

ets. Several sweaty paper dollars and a broken-bladed knife were the net results. He pocketed these items and climbed back into the wagon. Glancing callously at the body lying there in the dusty road, he turned the surprised horses around and whipped them into a gallop.

At the forks, he chose the middle branch and turned the unwilling animals into this trail. Stopping to look back and to listen, he spoke to the horses and drove off into the late afternoon.

CHAPTER I

CARD PRACTICE

RAIN! Not a sudden shower of light, gentle mist; not a lazy sprinkle of great silver drops; not a tempestuous downpour of sullen roaring water, but a steady soggy dripping that told of hours of rain yet to come. It was one of those spirit-sapping all-day rains that sometimes deluge the great Southwest in the fall.

The main and, in fact, the only real street of Lebanon was a slough of sticky and deceptive mud. From Dallas Corner to the river landing, a distance of twelve struggling and straggling blocks, one could easily have become mired down to the hips in many treacherous spots in the clinging, gummy mud and clay if one left the sanctity of the stone-slab sidewalks. In truth, the street was so bad in wet weather that the mountaineers from the Ozarks, in coming down from their highlands, hitched their extra team of oxen behind their wagons of produce to save the beasts for that terrible pull down the main street of this Indian Territory town. Two teams of oxen could scarcely drag a single wagon to the freight landing at the river's edge. The wagon would mire

down below the axles, the oxen would flounder almost helplessly up to their bellies.

Just why the little town had wiggled out of the sticky, slippery red clay beneath its feet and spread itself over the gummy father of aluminum and why it continued to exist could be attributed to but one cause — whiskey.

Waiving its somewhat strenuous and lurid past, Lebanon still survived as a vicious outpost of lawlessness in the year 1892, even while civilization, law, and order overtook and passed it, continuing on their inexorable way westward. Yet, that the wild days of the seventies and eighties were gone forever was obvious in the gradual passing of the bad Indian, the outlaw and the reckless gunman. It lacked but a scant four years until the United States Criminal Court at Fort Smith, Arkansas, on the border was to be adjourned, having cleaned up the dangerous gangs of western Arkansas and the Indian Territory.

Probably at the close of the nineteenth century, the Texas Hotel in Lebanon was the last real stronghold of the brothers of the cards, the running iron, and the gun. It was really a pretentious place, one of the five three-storied buildings in Lebanon, built of brick, and offering fairly clean rooms and good food. Perhaps the irresistible attraction of food was greatly instrumental in keeping the hotel from being closed by the hardy ranchers and citizens. For, in those days, good food was a rarity. A chef was unknown.

But that civilization still had much work to do was apparent in the fact that Lebanon boasted of fifty-four saloons in a territory where it was a government offense to introduce or sell liquor.

Two men stood in the doorway of the hotel looking out on the plasticity of the street, watching the rain render it yet more impassable.

"What a rotten excuse for a street," said one disgustedly. "Why didn't you tell me, Carter, that you had no streets in this forsaken slough? I'd have brought my waders. This weather will ruin the cattlemen's convention."

"My dear Jackson, we cannot control the weather here any more than you can in Chicago," drawled Carter. "This matter of streets and rain cannot be helped. But the cattlemen are used to it, though. You ought to know what they have to face in a storm out on the prairie."

"But, damn it, man, you don't expect to get a gambling crowd together, do you? I doubt if we can make a table for poker. Surely none of the wheels will be in use. Why—why, they won't even get drunk!"

"You don't know this country or the men in this country," returned Carter, and his tone was amply expressive. "They——"

The bellow of a discharged shotgun, followed by an answering spatter of six-shooter shots, interrupted Carter's remark. Almost like a startled rattlesnake he jerked back from the doorway and glided to the edge of a window. Coolly he peered

out and gazed up and down the street. His cold features broke into a grin.

"Come here, Jackson," he called.

The cause of the disturbance was coming into view as Jackson took his place beside the window. Twelve teams of oxen were floundering up the street, tugging and straining at a great flat-bottomed scow in which were eight or ten men. The two foremost men were driving the teams. Four or five men were seated at oarlocks and bent their backs over imaginary oars in mock propulsion of the boat. Two men were firing shotguns at several strings of decoy ducks that trailed behind in the mud. All of the men seemed very drunk and they all seemed unmindful of the pouring rain.

As the scow disappeared in the direction of Dallas Corner, Carter turned back to the man from Chicago:

"You were saying something about rain, Jackson?"

Jackson laughed.

"I retract my statement," he said. "There went a load of easy pickings."

"Men that are drunk and in that happy state of mind like to lose money in gambling," commented Carter sagely.

"Just what was the idea? Cowpuncher horse-play?" Jackson was somewhat puzzled.

"Partly. It looked like a satirizing of the street to me. They're always pulling some kind

of funny stuff over this mud and water. They'll probably drive on up the street, be arrested for breach of peace, fined, maybe the fine'll be remitted, and they'll be wandering free tonight with money to spend. We'll get our share."

"I'm not so sure," murmured a third voice just behind them and the two gamblers turned swiftly to see a lean, lanky, hard-faced man removing his dripping slicker and eyeing them sardonically.

Jackson, a well built, dapper-appearing man with cold hard sneering blue eyes, looked mildly interested. Carter, the thin man of snake-like grace, seemed slightly puzzled.

"I'm not so sure that we will get anything off of that bunch," repeated the newcomer. "And that is the richest, fastest bunch in town this week."

"Why not?" shot out Jackson crisply. "What's wrong? That is, if they like to gamble."

"Carter should know," responded the other. "Didn't you see who those two men were, driving those oxen?"

"Who?" demanded Carter. "Who? You speak in riddles, Tilby."

"The Montagues! That was the DZX bunch. And you know Bill Montague," announced Tilby tersely.

"I am very much afraid that I do not have that honor," drawled Jackson puzzledly. "Who is Bill Montague and what about him?"

"C'mon up to my room and I'll tell you,"

replied Tilby.

Jackson nodded briefly. Carter smiled a trifle sickly. The three men filed up the stairs.

Over a bottle and three little glasses Tilby became very communicative and, with an occasional emphatic comment from Carter, enlightened the gambler from Chicago.

"Bill Montague," explained Tilby, "is an old settler in this country. He first came here as a plain gambler. That was before my time, but they said that he played a hard square game. More than one crooked gambler either left town just ahead of flying lead or was carried out in a pine box after playing with Montague. I don't know about that. But I do know that Bill Montague quit the cards years ago and turned to cattle raising. He is now one of the wealthiest men of the Southwest.

"His ranch is south of here. He comes to town occasionally with his men, or part of them, and plays with them. They worship him. He drinks a bit, talks politics and civic improvements and maybe plays a little poker if he has time. And he has a son who is growing up just like him."

"Such a man is a fatted one for the killing," Jackson approved.

"But there never is a killing," objected Tilby. "He is too smooth for crooked gamblers. He plays a square game until he finds out that the other fellow is trying to crook him. Then he

crooks the gambler without mercy."

"That comes from the heart," added Carter, explaining joyously to the intent Jackson. "He trimmed Tilby once. Tilby rung in a cold deck on him. On the second deal Montague sat up straight in his chair. In ten more hands Tilby was busted."

Jackson flashed a look at the disgruntled Tilby. "You say that this Montague is an old-time gambler?" he asked slowly.

Tilby nodded.

"He is wealthy now and only plays for amusement? He retains his various abilities but always plays a straight game," pondered Jackson. "Well?"

"Well," snapped Tilby, "if he sits in a game with you, you'll have to play straight poker."

"Zat so?" Jackson's eyebrows raised a trifle and his eyes hardened. "Well, Tilby, suppose I do play a straight game—what about it?"

"You won't win any money," said Tilby bluntly. "Montague will win and he won't let anybody lose too much."

The handsome gambler threw back his head and laughed. It was a thin wolfish laugh that was not good to hear. Even Carter joined in, his head moving snakily from side to side as he grinned. Tilby scowled disgustedly at the two.

"You fools," he snarled angrily. "You've never seen him work. I have. I know better than to try to beat him by crooked poker."

Jackson stopped laughing long enough to pour himself another drink and to eye Tilby.

"So friend Montague is such a good poker player that you can't beat him on the straight," he mocked. "And when you try to cheat him, he cheats naughty little gamblers himself. Is that really the truth?"

"Absolute."

"How does he work his magic?"

"With the other fellow's cards and with his own sleight-of-hand work."

"What sort of sleight-of-hand work?" pursued Jackson seriously, a grim smile making his lean, handsome face grow formidable.

"I guess he knows all of the tricks of the trade," shrugged Tilby. "And he is simply marvelous in card palming."

"Card palming? Small town stuff. We had to cut that in Chicago years ago."

"You haven't seen Montague work," said Tilby significantly.

"Bah!" Jackson shrugged his shoulders in disgust. "Are you sure, though, that he will turn crooked if he finds you dealing a crooked game? To what lengths will he go?"

"To any lengths."

"Are you absolutely certain?"

"Of course I am," snorted Tilby angrily. "What are you driving at?"

"Doesn't he fear some of the other players might catch him in crooked work and brand him

forever as a cheat?"

It was Tilby's turn to laugh. "If a professional gambler can't catch him, how do you expect any other player to do so? Besides, he protects the other players."

"So he preys on gamblers, eh?" sneered Jackson. "A modern Robin Hood!"

"Only when they deal a crooked game," explained Tilby patiently.

"Well, what about it?" shot out Jackson. "Do you want to frame him and get away with it? Would you like to get him and his money at the same time?"

"Does an Indian drink?" said Tilby bitterly.

Without a word Jackson produced a new deck of cards and broke the seal. He waved at Carter to clear the little table and riffled the cards beautifully. The two gamblers watched him with interest.

"First of all," said Jackson in a smooth, hypnotic voice, "let me inform you that this is an absolutely new, straight and unmarked deck—although that makes no difference in what I am going to show you. Now, I have yet to see the man who can beat me in handling a deck *and keep me from knowing what he is doing*. I have seen one or two better than I, but they couldn't keep me from following their work. Now then, gentlemen, I am going to deal a hand to each of us. Watch me closely, as closely as though you had a thousand Jewish doughnuts

in the pot and I were Hermann the Great. Are you ready?"

He paused and the two men nodded. Jackson smiled lightly and flipped the cards about the table. The little pasteboards rustled down like a shower of cards, so rapidly did Jackson flip them out. He laid the deck down carefully in the center of the table and smiled blithely at his companions.

"Now, Mr. Tilby, how many cards lay before you?" he asked.

"Five," responded the gambler promptly.

"Count 'em," suggested Jackson.

Carelessly Tilby spread the cards with a deft motion of his hand. At a glance he counted six cards. He looked up mildly surprised. Jackson turned to Carter.

"How many cards did I deal you?" he asked.

"Five."

"Count 'em."

Carter investigated the neat pile of little pasteboards and found the same number as had Tilby.

"Rather neat," he murmured in approbation.

"But then you dealt so fast, you probably went around six times and we were too careless to follow you."

For answer Jackson spread his own hand with a swift motion of his fingers. There were but five cards there.

"*Rather* neat?" he sneered. "That is the best deal of its kind in the world. It can't be

beat. Now that you know what I am going to do, suppose you watch me shuffle the cards and tell me who holds six cards at the end of the deal."

Rapidly he cut and riffled the cards. The pasteboards leaped like things of life under his incredibly swift fingers. It was like the hurried movement of some intricate machinery. Carter and Tilby were almost hypnotized by the action. They tore their eyes from his hands as he paused and looked into his smiling, cold blue eyes.

Then Jackson began to deal. This time his every move underwent a close, analyzing scrutiny. When he paused at the end of the deal he smiled derisively.

"How many cards have you, Mr. Carter?" he asked of the first man.

"Five," responded Carter promptly.

"Right. How many has Tilby?"

"He has five this time also."

"How many do you think you have?" Jackson asked the second man mockingly.

"I know I have five," answered Tilby decisively.

"Count 'em."

Tilby did so confidently. His eyes widened with wonder as he again found a sixth card in his hands. He looked across at Carter, deep speculation in his eyes.

"How many cards have you got?" demanded Carter suddenly.

"Five," returned Jackson. "The same number you have. I can deal a sixth card anywhere about the circle."

Carter looked thoughtful.

"Just a minute," said Jackson. "Suppose you had a pat hand spoiled by that sixth card? Suppose your name was Montague and suppose that you already knew the game to be crooked? What would you do?"

"Montague would play the hand," announced Tilby promptly.

"I believe he would—from what I know of him," endorsed Carter.

"That's what I want to hear. You don't need to add that he would get away with it, Tilby. I can see that that is your opinion. Listen to me for just a second. Suppose that you were playing against Montague and you *knew* that he had that sixth card when he played the hand?"

The eyes of Tilby and Carter met. A thin hard smile showed a glimpse of Jackson's even teeth as he watched them.

CHAPTER II

POKER

WILLIAM MONTAGUE stood at the upper end of the bar in the saloon which operated under the name of "Owens' Bright Star." He drummed lightly on the counter with his lean, tanned fingers, his eyes fixed dreamily on the line of noisy, thirsty cowpunchers at the bar.

He was a man in his early fifties, broad of shoulder and broad of vision. His steady eyes never wavered. They could look into or through many things, shining with a friendly blue or darkening with an angry violet. His chin was neither receding nor viciously prominent. It was firm, it was hard. His nose was straight and long. His lips were wide but firm. The ensemble of his features expressed resoluteness rather than ruthlessness.

He was clean-shaven and his hair was rapidly graying. There were lines about his eyes and down each side of his long upper lip. Montague looked like a man who possessed poise and reserve power and who was fully alive to his own freedom and limitations. He had lived, he had learned, he had suffered, and life was still sweet to him.

Beside him stood a young man in his early twenties, an almost exact replica of the older man. Jack Montague had the build of his father without the latter's height. His eyes were the same, his features cast in the same resolute mold, but there was an indefinable softening touch which could not be wholly accounted for by his youth. It was the softening touch, the artistic tinting of a rugged character, as a painter would retouch the outlines of a mountain, the heritage left him by his mother. It was the refining touch of a delicate soul. Where the father could suffer and could act, the son could also act but could suffer the keener agony.

The elder Montague carried the weight of his fifty-odd years with a lightness comparable to his son. He was still one of the hardest working men of his outfit even though he no longer spent all of his time in the saddle.

Slightly behind the two Montagues stood a thin man with almost inconceivably long legs. He was a man fully the age of the senior Montague. His hair was grizzled and his face and neck were a mass of wrinkles. He was tanned to the color of mahogany. He was grimly silent and taciturn but his kindly gray eyes and wide mouth proclaimed the gentle humor and love for a joke that was his birthright. Jim Harrison was of Irish descent despite his name. He had been with Montague ever since the rancher had given up the cards and the old life for the sake

of the woman he loved and married.

"All right, boys," said Montague. "You have a fairly good start. Don't wind up in jail. And don't stay up all night. Tomorrow is another day."

The punchers shouted conglomerate remarks which could not have been understood and the three men turned and walked out of the saloon.

It was still raining. Night had fallen and lamp and gas lights twinkled behind streaming window panes. Young Montague bared his head to the driving drops of water, his face upturned to the black, weeping heavens. Weather such as this filled him with a vague discontent, an urging to wander free, roaming and ranging up and down the earth. He felt the call of the dark, dripping jungles of the tropics, of the cold, clean rain of the mountain tops, of the stinging spray and rain whipped over the rail of some adventurous sailing vessel, of the piercing rain and sleet of the icebound northlands.

His eyes sparkled brilliantly and his wavy hair curled a bit more tightly under the effect of the moisture. His cheeks glowed with health and color and he far outstepped his two companions. He stepped into the lobby of the Texas Hotel, hat crushed in one hand, the other wiping the water from his face, a vivid picture of young manhood.

He nearly bumped into a girl who had been approaching the door to gaze out into the rainy

street. She stepped back with a little exclamation and looked at the apparition before her in wonder. The pearl-gray shirt which clung to the muscular shoulders, the wide cartridge belt and holster, the plain chaps and serviceable high boots proclaimed this handsome newcomer a rider of the open range.

"Oh!" she gasped slightly.

"Good evening," returned Jack, bowing low and sprinkling the girl with raindrops. "A little damp this evening—pleasantly so."

"Do you like the rain? I thought cowmen didn't like it personally because of its uncomfortableness," said the girl.

"The rain is my weather."

"I believe it," she responded, admiring his curling hair and sparkling eyes. "I like the rain, too."

Jack looked at her in approval. Her features were just irregular enough to enhance her beauty. Her hair was a coppery brown that shimmered under the lights in the lobby. Her eyes were hazel and shone with a spirit which matched his own. Her mouth was made for kissing—or biting, depending on her mood.

"Let's go for a walk, then," suggested Jack instantly.

She flashed him a swift glance and read nothing but friendly companionableness in his frank and admiring gaze.

"Isn't it proper to introduce oneself before

suggesting a promenade?" she countered quickly.

"Jack Montague, at your service, m'lady. A kind-hearted cowboy of the open prairie, mam. And you—you're not the new singer that Owens ——" he hesitated.

She drew herself up imperiously. "I am not," she flashed. "I am here with my father."

"I am afraid you don't understand," said he. "There was an opera singer engaged to appear here at the Grand Theater next week. I just wondered if——"

"Forgive me," she melted instantly. "My name is Patricia Blaine. Father and I are from Mississippi."

He smiled. "Not that I think the singer will have much luck here singing to the irresponsible cowpunchers and bartenders, but it was a perfectly natural mistake. Where is your father, Miss Blaine?"

"I don't know," she pouted. "He is considering locating here, but he can hardly see anybody or do anything in this rain. I have been wondering where he went."

"How long have you been here?" he inquired.

"We just came in this morning. This seemed to be the best hotel, and so we came here."

Jack nodded, pursing his lips thoughtfully. He looked swiftly about the lobby. As he suspected, there was more than one leering glance bestowed upon the girl.

"Uuummm—this is a nice building," he mur-

mured, "but I can't say so much for its patronage. May I——"

"Including yourself?" she laughed.

"I guess so," he smiled slightly. "I am here to gamble. There are gambling rooms up on the third floor. May I suggest that you return to your room and I will be glad to hunt for your father."

"What! You a gambler?" she cried.

"Not professionally. We come to town occasionally to have a light fling with Fortune. She generally wins the falls, however."

"Daddy likes to play cards. He might be up there," she mused.

"If he is, shall I tell him you want him?"

"No, no. Let him alone if he's having any fun. He hasn't had much pleasure since——since Mother died."

Jack's eyes widened a trifle. Anything he might have said was prevented by the approach of a cadaverous-faced, thin-lipped man whose only approach to western costume was a pair of boots into which his trousers had been ruthlessly stuffed.

"Introduce me, young man," he clipped out, smiling a thin smile and boring into the girl's gaze with his slate-gray eyes.

"Miss Blaine, this is Mr. Owens, real estate, railroad, and Indian agent of Lebanon," complied Jack reluctantly.

The realtor stepped between the two young people, turning his back squarely on young Montague.

Jack's eyes clouded and his fingers curved as his gaze traveled up and down the figure of Owens. But Owens' monopoly of the girl's attention was short lived.

Montague, senior, and Harrison entered the hotel. At sight of the realtor Montague spoke.

"Owens!" he said. "I was looking for you this afternoon. How about those cars you promised me?"

As Owens turned toward the speaker Jack stepped around him and took Patty Blaine's arm.

"Thanks, Dad," he called. "Anything to save physical exertion." To the girl he said: "Please pardon Mr. Owens. He doesn't know any better."

Owens flashed him a vicious look and went to meet the elder Montague.

"The men here say and do pretty much what they please," pursued Jack in a serious tone. "A gentlewoman is really out of place. Won't you take my advice and withdraw from the notice of these men?"

"Do you really think I should?" she asked curiously.

"After you've been here several days you'll know that you should," he returned grimly.

"But surely there are women in this town?"

"Yes, but they are either married or well protected. Your father doesn't understand the roughness of the West, or I am sure he wouldn't have left you alone."

She turned to gaze about the great room. For

the first time she became aware of the hard gazes and harder visages. For the first time she realized the real helplessness of her position. Pretty women always caused dissension along the border countries. She suddenly felt very small and far away from home. Involuntarily she shrank toward the man at her side.

Instantly Jack Montague smiled sympathetically.

"Buck up, little girl. You'll get used to the hard life about you if you stay here. The glories of the country compensate for the irregularities of the humans in it. There are lots of fine people here, but they are not at the Texas Hotel."

"You don't speak like a cowpuncher," she ventured, as they strolled toward the stairs. "How long have you been here?"

"I was born and reared in this country," he responded.

"And that fine looking man who just came in is really your father?" asked the girl. "Who is the long-legged man with him?"

"That gentleman," said Jack, smiling, "is Jim Harrison, our foreman."

They paused before the door of her room and chatted for a moment. Then, as the trio behind them came forward, Jack bowed to her and turned to go up to the third floor with the others. Owens glanced at the young couple with an inscrutable expression as he stepped ahead with Montague. Jack fell in beside Harrison who grinned slightly at the back of the discomfited realtor.

There proved to be two poker games in progress when the four men entered the gambling rooms. One, a full handed game of seven players who played for small stakes, drifted along desultorily. It was really but a pretense of a game to allow the cattlemen to drink and talk. The other game was at one of the center tables. There were four men playing. Montague recognized two of them as Carter and Tilby, two gamblers of indifferent reputation. The other two men were strangers.

Owens disappeared and the three DZX men drifted about the great room, viewing the various card lay-outs, playing a coin on the different wheels—feeling out the atmosphere of the place, as it were. At length the central table drew them like a magnet and they shortly stood entranced as men will when they gaze on a game that is played silently for high stakes.

A house-man came up to them.

“You men care to play?” he asked.

Carter looked up quickly. “We are playing for big stakes,” he said shortly. “Still, if they want to play, I guess it’ll be all right.”

“Never mind,” smiled Montague. “Don’t bother the gentlemen.”

One of the strangers looked up and smiled pleasantly.

“Sit right down, sir,” he invited. “Bring us some chairs, Jeff.”

“Do you wish to play, son?” said Montague

turning to Jack.

"No, thanks," declined the younger man. "You and Jim play. I'll watch a bit and then maybe hit up the wheel."

"Thousand dollars change-in," announced Carter. "Tilby banking. This is Mr. Blaine and Mr. Jackson, Mr. Montague and Mr. Harrison."

The rancher and his foreman promptly produced rolls of greenbacks that made Jackson's eyes glisten. They calmly bought in, and the game proceeded. All six of the men played careful poker and the game dragged a bit before they got into a new stride.

At the introductions Jack looked quickly at the man called Blaine. He saw a powerful, dark-complexioned man whose eyes burned with a consuming fever as he watched the cards. He had no difficulty in finding a resemblance to the girl he had just left downstairs. He studied the stern face which may have been masterful in repose but which shone in complete fascination at the spell of the cards and he pitied the man who could thus be held by the charm of the pasteboards.

Blaine sat at Jackson's left, then came Montague, Carter, Harrison and Tilby. Young Montague watched the game for several hands and then turned away for a more lively amusement.

From small talk as the game progressed, Montague gathered that Blaine was a farmer from

Mississippi who had several thousand dollars and was looking for a likely location to settle upon. Jackson mentioned that he was a cattle buyer from Chicago. The rancher diagnosed the Mississippian beside him, as had his son. Jackson he didn't like. His disapproval of the cold, polished Chicagoan was not lessened when he watched Jackson deal. "Gambler," he said instantly to himself as he watched those slender white fingers all but mold the cards together.

He settled down in his chair to reason the matter out, tossing a white chip into the pot for luck. Harrison looked up, eyed the dealer for an instant, grunted and looked down at the cards falling before him. He had received a tip.

The luck swung back and forth and the evening sped swiftly as it drew nearer to midnight. Montague was some two or three hundred dollars ahead of the game, and he lounged back carelessly. Jackson was dealing again. Carelessly he upended the deck, exposing the bottom card, as he reached for a fallen match. It was the ace of hearts.

Before Montague could call for a cut he had begun to deal. The rancher shrugged as the matter was not important enough to be picayunish over. The betting proceeded, Blaine and Harrison staying for the draw with Jackson. Montague looked on with sleepy eyes as the Chicagoan picked up his hand and raised the betting a trifle.

Blaine had evidently filled a flush or a straight

and he was betting strongly. Harrison trailed, keeping the entire table smiling at his running fire of comments. Finally the foreman dropped out on a really stiff bet from Blaine. Jackson hesitated for just an instant and then called the bet.

Blaine laid down a club flush. Jackson smiled pleasantly as he spread his hand with a deft snap and exposed a full house, aces over treys.

"Better luck next time, Mr. Blaine," he sympathized as he raked in the neat pot.

There was nothing out of the way in the play, but Montague suddenly blinked and shot Jackson a hard glance. For one of the aces in the Chicagoan's full was the ace of hearts that had been on the bottom of the deck. Jackson was dealing from the "cellar."

As he blinked and stiffened slightly, Jackson winked at Tilby who sat moodily at his right. The rancher eyed Blaine for a moment with pity. Then he carelessly lit a cigarette and slouched down once more as Blaine gathered up the cards with a laugh and began to shuffle.

CHAPTER III

GAMBLERS' PREROGATIVE

FROM this moment the game underwent a stiffening. It was like an electric shock had gone around the table. Once Blaine turned squarely and gave Montague a searching glance. Satisfied with what he saw in the rancher he began to heed the signals the rancher's boot played on his left shoe. He began playing as cautious a hand as a dour Scot and his foot became almost raw from the various tips and warnings pressed upon it by the cattleman.

Montague loosened his playing a trifle. He grew more careless in his drawing and betting. But, with all his looseness, he began to win heavily. The stack of chips before him continued to grow. Harrison and Blaine seemed to hold their own. Occasionally one of them would win a small pot on Montague's deal which kept them even.

Gradually the other games closed and a crowd began to collect about the card table. Narrowly Jackson watched Jack Montague. The young man chose to stand behind Harrison and the gambler breathed easier. All of the players and many of the spectators realized that something untoward was in the play. There was a secret,

silent duel of some kind between some of the players. Then came the big hand of the evening.

It was Jackson's deal. He riffled the cards casually, cut them and offered them to Tilby for another cut. Tilby refused by lightly tapping the deck in sanction of the shuffle. Jackson began dealing with his lightning-like shower of cards and Montague narrowed his eyes, watching the swiftly moving hands—as a cobra follows the shrill notes of the pipe.

Slowly the rancher picked up his hand and stared stonily at the ace, king, queen, jack, and ten of spades—and also the seven spot of diamonds. He had been dealt a perfect hand with an extra card. This was no accident. He had never seen Jackson before, yet the gambler was framing him. The only way such a frame could be worked would be for Montague to attempt to play the hand. The first crooked deal against Blaine had been exposed to him, Montague, purposely. Some one had been talking to Jackson. Without looking he could feel the secret exultation of Tilby.

He knew that he was alone in his deduction. This subtle study in psychology would be beyond the blunt Harrison. The foreman was unaware of the situation his employer faced at this moment. Montague realized that he must either play and beat the crooks at their own game as was his wont or quit cold. The very devilishness of the plot struck him and secretly he admired the brain

that had proposed it. He felt sure it was Jackson.

But Jackson had dealt, too. Jackson would now be through. Who was to play the hand against Montague in order to get the cattleman's money on the table before someone cried "wolf"? Undoubtedly Blaine would hold a fairly good hand and would come in for the plucking also. Carter was sitting next to him, an unstrategical position from which to play, but an exceptionally good place to sit to watch Montague and to grab him. Thus, if Jackson were through, and as dealer and stranger to Montague, he would be through, Tilby was the only gambler left to play the hand. And Tilby had the bank behind him and he carried a grudge.

The ranchman settled down in his chair with a thin smile on his lips, a steady cold flame in his eyes. On account of that sixth card he knew his every move was watched—hawklike. Blaine had been dealt more than openers, for he now opened the pot for one hundred dollars. The three gamblers almost held their breath awaiting Montague's decision, for upon his decision hung the success or failure of their plot.

The cattle rancher sighed with well simulated regret that he needs must raise a bet on the strength of such a poor hand, a sigh that fooled Blaine, whom it was not meant to fool, and also the three gamblers who thought they understood perfectly. They, too, sighed—in relief.

"Seems like things are about to break," drawled

Montague. "I'll just have to hike the fee about five hundred dollars."

Carter tossed in his hand with a murmured, "Too much for me," and sat watching the play.

"*Cerberus*, the watch dog," thought Montague, but he continued to smile that thin, inscrutable smile.

Harrison looked at his hand. He eyed Montague in perplexity. He shifted his gaze to Blaine. The newcomer seemed undecided. On the chance of filling his probably strong two pairs or threes, Blaine might stay for the draw. Harrison shrewdly guessed that it had been Montague's intention to freeze the Mississippian out with his five-hundred-dollar raise. Blaine acted as though he held a small pat hand. It might be a good pat hand. Therefore he was liable to stay. Without hesitation, Harrison shoved out eleven hundred dollars in chips.

"Raise five hundred," he grunted noncommittally.

Tilby looked up in swift surprise. Jackson shot the DZX foreman a quick glance. Had some freak hand come out unintentionally in that stacked deal? It was enough to give them complete pause. After the hand was played and all of the money was on the table, when they exposed Montague's sixth card, the next highest hand would take the pot. If Harrison had drawn a freak hand that outranked Tilby's, the DZX crowd would get away with the money after all.

"Do you pass, Tilby?" said Jackson levelly, sneeringly.

Tilby forced himself to look down at his hand. "I call," he said hoarsely, and he pushed his chips to the center of the table.

"I pass," said Jackson lightly.

Blaine began fingering his stack of chips undecidedly. A heavy foot pressed upon his harassed left pedal extremity. He glared almost angrily at Montague, but the latter's face with its kindly yet stern expression stopped him.

"Too steep for my little straight," murmured Blaine, and he tossed in a small straight flush, face downward.

Carter and Jackson looked at each other queerly. Something was awry. The bystanders shifted their feet and leaned forward.

"I'll call, too," said Montague. "No use bucking my own side of the fence. Deal, Mr.—Jackson."

"How many cards?" crisped Jackson, his eyes glittering at the wordless insinuation of the rancher.

"These'll do," smiled Montague gently.

The dealer looked at Harrison.

"So'll these," grunted the laconic foreman.

"One card," demanded Tilby studiously. He had regained the grip on himself.

"Blaine's out. Up to you, Bill," said Harrison briefly.

"There is the makings of such a nice fat little

pot on the table that I can't resist the temptation of betting a thousand," laughed the rancher as he counted out his chips.

"Aw, you go to hell," grinned Harrison good-naturedly and he threw in his hand.

Carter relaxed contentedly. The matter of Harrison's hand was cleared up. He settled deeper in his chair and half turned toward the big man at his right. Jackson began casually gathering up the discards and adding them to the remainder of the deck he held. The eyes of all others turned to the last player, Tilby.

Tilby was by birth a Kentuckian. Now he eyed his opponent softly, his voice carrying a very slight drawl.

"You must have an awfully good hand or an awfully good bluff," he said slowly. "To back it the way you are doing, is to break up the game. I'm going to raise you a thousand dollars."

There was a tense moment in the room. Poker history was again being made. An old ex-gambler and an active gambler with ill-feeling between them, playing the big hand of a poker game.

Montague looked thoughtful for an instant. "This has developed into something big," he mused. "There's no use taking all night to bring matters to a head. I'll just make it worth your while to call me right now. I'll see your raise, Mr. Tilby, and I raise you five thousand."

The rancher was forced to reach toward his pocket to add bills to his chips to make his bet.

"Never mind, Bill," drawled Harrison, shoving his pile of chips over to the big man. "You done busted up this game, you two fellows. You just as well use my chips an' cash 'em in with youn, Bill—if yuh win."

This simple action cleared Harrison's interest in the game and allowed him to devote his entire attention to watching the wolves of the pack—of cards. He gave Carter more than passing interest.

Tilby cleared his throat. He shot a furtive glance toward Jackson. The Chicago man's face was expressionless, his eyes like granite in the North Sea. Tilby looked at the frozen smile on Montague's face. He almost shuddered. He was caught in an unenviable position.

"Here is your five thousand," he husked. "And I'll raise you—I'll raise you—all I have here in the bank—ten thousand, three hundred dollars."

For the first time Montague seemed to hesitate. He passed his hand worriedly across his brow. He looked at his watch. It was after midnight. He studied Tilby for a moment. He counted his roll. Jackson smiled knowingly down at his fingernails.

"Need any, Dad?" said young Montague calmly. "I tapped the wheel for several hundred."

Montague flashed his son a quick smile and shook his head. He drummed on the table with

his fingers, Carter and Jackson following every motion of his hands like synchronized snakes. At length the ranchman lifted his head.

"Attendant!" he called. "Bring me an envelope."

Quickly the bit of stationery was brought. Calmly Montague picked up his hand, in plain sight of the men at the table, and sealed it in the envelope. Placing the few small chips left over from his last bet upon the square of white he spoke again.

"Bring me a ham sandwich and a small whiskey," he said.

There was a shifting of feet about the table, but no one moved from his position for fear of losing it. There was no telling how long it would be before the play was resumed. Jack Montague stared hard at the table and at the players. He folded his arms and stood motionless.

There was no comment at Montague's odd action beyond a knowing glance from one old gambler to another. In a poker game it was a gambler's prerogative to do strange things right in the midst of a big hand. Men had been known to place their hands under their chips and to arise and leave the table, leave even the building for an hour or more, the other players waiting patiently and honorably for the absent man's return.

Thus, there was no comment, but Montague knew that, under the existing circumstances, he

did not dare leave the table. The waiting gamblers would have seized him at once and searched for that damnable sixth card they knew to be on his person. So the rancher smiled that fixed smile that troubled Tilby and coolly awaited his order.

The waiter placed a tiny tray before him with the sandwich and a small tumbler of liquor upon it. Quietly, Montague picked up the sandwich and began eating it casually. He munched the food meditatively, frowning, then smiling, then appearing uncertain. He studied the tensely waiting Tilby thoughtfully. He knew the man was well-nigh frantic under the strain. He pretended to be following a deep train of thought as he chewed. Suddenly he seemed to reach a decision and his brow relaxed.

Carelessly he leaned over the interested Blaine and dropped the unconsumed half of the sandwich into the cuspidor next to Jackson. Tossing the whiskey down his throat with a graceful tilt and a neat snap, he set down the glass and counted out ten thousand, three hundred dollars. He shoved the greenbacks to the center of the table and picked up the envelope containing his hand.

"You're bluffing, Tilby," he announced quietly. "If you had any more money in the bank, I'd raise. As it is, I call. What have you got?"

Wordlessly—he was beyond speech, Tilby spread out four sixes and a jack. He eyed the rancher greedily.

"Uh huh," nodded Montague thoughtfully. "You did have a pretty good hand after all. That shows how hard it is to figure a good gambler. Nevertheless, your hand doesn't quite top this one."

He tore open the end of the envelope, drew forth the five cards within and spread them out on the table, fanwise. It was h's royal flush in spades.

There were murmurs of surprised delight from the watching men, murmurs of incredulity, for a royal flush comes but once or twice in a lifetime, as Montague started to rake in the pile of wealth before him.

"Just a minute," came Jackson's hard voice. "There are only forty-one cards here. With Montague's five and your five, Tilby, that makes only fifty one. There is one card short—and we started with a full deck."

"What card is missing?" asked Montague incuriously as he began sorting his chips. "Perhaps it is under your chair."

Jackson flushed and stared hard at the rancher to read any possible insult, but Montague continued to count his chips unconcernedly, not troubling to look up. The gambler ran rapidly through the deck.

"The seven of diamonds is missing," he announced, and kicked the immobile Tilby viciously under the table.

The Kentuckian rose unsteadily to his feet.

Some inner courage or brazenness came to his aid and he stiffened, pointing his finger accusingly at the DZX owner.

"I accuse Bill Montague of cheating," said he. "He's got that missing card on him."

It really did take courage of a kind for Tilby to make that accusation. There were no apparent grounds for the charge save his cherished grudge and he took his life in his hands when he made such a claim.

Jack Montague uttered a deep growl and flung himself sideways at the accusing gambler's throat. Tilby snarled at the shock of contact and attempted to draw a weapon.

"Steady, son, steady," came Montague's calm voice, silencing the growing uproar. "Turn him loose. Upon what do you base your accusation, Albert Tilby?"

"I accuse you of palming cards all evening," said Tilby evenly. He had recovered himself. "Your phenomenal luck has been too good. You haven't lost a single pot you have played. I have been suspecting you all evening. Now I accuse you of having that missing seven of diamonds in your possession."

"Prove it, you crooks," cried Harrison angrily, pushing back his chair into the crowd behind him and springing to his feet. "And you," he looked deep into Carter's tricky eyes as he bent close, "if you attempt to place anything in Bill Montague's pocket or on him, yuh'll wake up for

breakfast in hell."

"Gentlemen, this is deplorable," said Jackson smoothly. "If this be true, this man should receive the gun brand. If not, Mr. Tilby owes an apology."

"Search him," snarled Tilby.

"Now that is a splendid suggestion," murmured Montague.

"Dad!" said Jack Montague's horrified voice. "Are you going to stand for that?"

"Why not? He made a direct accusation. When this is done, I have the same privilege of demanding a search of the entire party. I am firmly convinced that there are three crooks in this game."

Tilby paled a trifle. Jackson and Carter smiled derisively. Blaine looked quite perplexed.

"That's a good front he puts up," sneered Carter. "Hurry up and search him."

Obligingly Montague arose and held out his arms.

"Search him," commanded Jackson crisply. "Anyone will do, except his own bunch. Search him, Blaine. You have been losing money in this game."

Blaine looked uncertainly at the rancher. He couldn't quite assimilate the crux of the situation, but he didn't believe Montague was guilty of anything. But, as the rancher smiled so good-naturedly at the doubtful ones, he arose and began to go perfunctorily through the DZX man's

pockets, murmuring words of apologies.

Incentive, initiative was all that had been lacking. Others joined quickly in the search and the rancher was quickly turned inside out. Nothing came to light. Jackson arose and joined in the search. Montague's boots, hat, underclothing, all his wearing apparel was fruitlessly examined. His chair, his side of the table, the floor about him were carefully gone over without avail.

At last the searchers desisted. Jackson drew back with eyes that glittered. His lips parted in a baffled snarl and he studied the rancher's set face strangely.

Calmly shoving his chips across the table and placing the pile of greenbacks back into his pocket, Montague began rearranging his clothes.

"Cash 'em," he stated to the white-lipped Tilby.

Tremblingly the gambler counted the chips and redeemed them.

Montague rammed the currency down into his pockets and touched the humiliated Blaine on the shoulder.

"I wish to announce," he said quietly, "that Tilby, Carter and Jackson are crooked gamblers of the first water. They know how I know. Tilby, this is the second time you have crossed my path in a shady deal. Don't let there be a third. Mr. Blaine, did I understand that you are looking for some land? Come on downstairs with us."

Jackson stood bolt upright at Montague's words. His hand dropped to his side.

"Don't do it," suggested Harrison softly. "Yuh're peepin' over th' Devil's back fence right now."

"Jack and Jim," said Montague. "Let's go," and the crowd parted before them.

The house gamblers gathered around the table in excited conversation as the last of the patrons made off for the night. The three plotters eyed each other doubtfully. Doubt of each other was the inevitable next step. Had each of them played fair with the others?

"This is a fine mess," snarled Tilby. "You broke us and nearly cost me my life with your great plan."

"Shut up," snapped Jackson tersely. "I'm trying to think."

"I can't understand how he did it," said Carter savagely. "I watched him like a hawk. Are you sure you dealt him that sixth card, Jackson?"

"Don't be a fool," returned Jackson uglily. "The card is missing, isn't it?"

"You fools," sneered Tilby. "Don't you know the hand is quicker than the eye? I told you that you hadn't seen Montague work, Jackson."

"The hand is not so much quicker than the eye when the eye knows the motion to be made," said Jackson very quietly. "Perhaps I lost something in this deal, too. My standing is ruined

in this man's town."

"Here, here," soothed Carter as he leaned over to toss his cigar into the cuspidor. "Don't you two quarrel over this. I——"

He broke off and stared down into the spittoon. Jackson and Tilby watched him intently as he slowly reached down and gingerly brought up a soiled half of a ham sandwich. Very slowly he opened it before their eyes. In the middle of the sandwich lay half of the missing seven of diamonds, the ragged edges showing the marks of strong teeth.

"I will be completely damned," breathed one of the wheelmen.

"I told you that you hadn't seen him work," canted Tilby bitterly. "I——"

Abruptly he halted at the expression which crossed Jackson's face. The man's handsome features twisted in horrible rage.

"Of course," he snarled. "Of course, that's the answer. Bonehead that I am, I didn't see it. I'll get Bill Montague for that and when I do, he'll remember this night."

CHAPTER IV

ON THE PROPER PREPARATION OF A COBBLER

SPRING had merged into early summer and the country surrounding Lebanon lay like a gem of verdure in the heart of the encircling mountains. For the county of Richelieu could be roughly designated as that wide fertile valley lying within the almost perfect circle of hills, mountains that were to play havoc with the charts of the weather bureaus in the years to come, that so broke up and deflected the air currents as to render weather forecasting as uncertain as prophecy. The valley itself was probably sixty to seventy miles in diameter, Lebanon lying toward the northern edge close to the eastern rim.

The day following that disastrous poker game in the fall, Montague had taken Blaine, the Mississippian, to a spot just five miles south of Lebanon where a German agriculturist had been experimenting for three years with a fruit farm. The DZX holdings were about ten miles south of the town and the lowlands south and west were dotted with other ranches.

The fruit farm of Fritz Blümkin had been successful and the fruit, peaches, cherries, and plums, were entering on a healthy fourth year. But the Teuton himself had never been able to

attain popularity. His disposition had been completely soured by marital troubles before he had even left his native country. He was crabbed and cross. He was lame in one leg, which he dragged slightly as he walked, a memento of the coal mines of Europe.

In a range country where farm land fences and farms were not popular Fritz made himself still more unpopular by the stand that he took. He was impatient of browsing cattle and boisterous punchers. He possessed a shotgun and a fowling piece and more than one peach fancier found out that he could use them, several unfortunate poachers having to eat off of the mantel and ride on a pillow for a number of days.

Fritz Blümkin was square of face and ferociously blue of eye. His hair was white and he was tanned to the color of tough leather. He was himself approximately that tough, one of his favorite pastimes being to pick his teeth vigorously with a heavy pocket-knife, swearing emphatically in his mixture of mother tongue and broken English all the while. But the Teuton was no fool. He realized that he was decidedly unpopular and when the DZX ranchman, who came nearer understanding the German eccentric than did anyone else, brought a buyer in the person of Henry Blaine, Fritz made the wisest move of his life. He sold out to the Mississippian and moved back to the uphill of Arkansas and his grape growing.

Now, with pickers in the peach orchard, with the early crop all but ready for shipping, Henry Blaine looked upon his life and works and found them good. He began to see in the afternoon of his life the agricultural garden he had dreamed of in his unsuccessful youth. Blaine was a splendid farmer. He was a hard worker and he had farmed in more than one kind of land. Five seasons in the rich black lands of the Mississippi Delta where he had seen his flourishing crops go under the raging crest of flood waters four seasons had driven him back to the red hills of northern Mississippi, inured to bitter disappointment and barren hardship.

Here, in the paradise of Richelieu County, he had found the happy medium. The land was not quite as rich as the lands in the river bottoms but it was far superior to the red hills and the valley was well protected. The climate was fairly temperate and the two rivers, the Canadian and the Arkansas, crossing the upper end of the valley assisted the rainfall in irrigating the soil. The wildness of the frontier was gradually giving way before the inexorable encroachment of civilization.

Because Henry Blaine was a man in whom the code of honor was just and strict and because he had a beautiful daughter where beautiful women were rare, he was welcomed by the ranchers to the county and he proceeded to make a success where the disgruntled German had failed.

Possessing the only farm in a cattle country, he realized that his fences were unpleasant sights to the riders of the open range and he set out to overcome the natural prejudice against him.

It was not hard. He had the knack of making friends. He was generous. He set a good table and he liked company. He knew how to grow fancy vegetables and his daughter knew how to cook them. When a pretty woman is a good cook, she becomes irresistible to the cowpuncher.

Before the peach crop ripened Patty had made a complete conquest of the countryside. Cowboy serenades, private rodeos for her laughing approval, queer presents of wabbly-legged calves, snake belts and hat bands, rope and hair lariats, beaded sombreros and gauntlets, broken hearts and Indian souvenirs all went to litter up the farm of the Blaines.

Patty added to her good horsemanship expert work with a rifle and small calibered revolver. She learned to throw a lariat, to rope a yearling, to brand, although she did not exactly approve of this last operation, and to laugh with, in place of at, the punchers who made such ardent love.

There was but one tinge of bitterness or rather of resentfulness in the cup of the girl's happiness. The handsome cavalier who had come into her life out of the rain on the first night of her coming to Lebanon, the man to whose father her father owed so much, signally failed to bend his knees and become one of her conquests. With

her, and he was at the Blaine farm frequently as all the DZX men had formed the habit of stopping on their way to or from town, he was ever friendly and companionable. She learned that he was a college man, an athlete and a perfectly normal young man who was not in the least conceited about himself.

But he refused to fall in love with Patty Blaine. When he failed to be overwhelmed by her charms, Patty vowed in the privacy of her heart to make him fall in love with her. Being thoroughly human and a young woman in whose veins the wine of life coursed a swift, joyous song, she loved the adoration of the cattlemen about her. And because it is a human proverb that anything hard to obtain is much the sweeter thereby, she found that it was Jack Montague's adoration which she cherished more than anything else in the world.

She had entered into the game lightly, confident of bringing him to his knees and happily dreaming over the ensuing scene where he would kneel before her, perhaps on the north bluff overlooking Lebanon, and kiss the hem of her riding skirt, pleading for just a little love. She could see herself laugh lightly at his earnestness and chain him to her in humble chains of steel. He was such a nice fellow and so handsome that she might condescend to throw him a scrap of love.

But there were more types of boomerangs than the Australian model. Due to some treacherous reaction Patty suddenly found herself deeply in

love with the man she sought to bring to heel. This discovery shocked her, frightened her, and then made her angry at herself for having fallen into her own trap. She learned to tremble at his nearness and yearn for the fierce pressure of his strong young arms about her and she hated herself for this weakness. And the perverse devil that urged her made her swear to make Jack Montague, the innocent cause of her confusion, suffer all the more because of her heartache.

Blaine and the elder Montague saw through the game she was playing, although they were abysmally ignorant of the turmoil in her heart, and they laughed with each other and speculated on the length of time it would take to reduce Jack's ramparts and leave him helpless before the determined onslaught of a determined young woman.

Patty Blaine did not realize the danger of the game she was playing. Jack Montague was like a wondrous piece of mechanism into which the breath of vitalizing life was yet to be blown. He was unawakened, his inner cosmos slumbered. Women had meant but little in his life. His mother had died in his infancy and he had grown to manhood with the kindly but masculine supervision of his bereaved father and the faithful foreman.

No woman had ever stirred him profoundly. He had gone through his college years unscathed and untouched. He was satisfied with the range

country, the men about him, and the dumb brutes that he loved.

Unknown to him, he had inherited from his mother great capacity for feeling and play of emotion. He was a strong, keen rapier within a casing which resembled a trim, stout, but prosaic cudgel—matter-of-fact, straight driving and resourceful like his father. The fact that he was his father's son and was likely to some day back all of this hardwood heritage with a sudden reserve of inner force of a more delicate yet none the less deadly nature, made him a quantity to be reckoned with impossible of measurement. William Montague, wise man that he was, suspected the unplumbed depths of his son's nature and he watched over the young man like a hawk.

That the boy had potentialities for either the heights or the depths, he knew. That he would some day awaken and be a nervous driving force that would either make or mar him, the father was certain. And he feared, overlooking the fact that Jack had inherited his own resolute firmness as well as the high temperament of the mother.

Upon this forenoon in early July the young man in question sat on the step in the kitchen doorway of the Blaine farmhouse, lazily watching the young woman, who sought his scalp, as she bustled about the warm kitchen. His feet were stretched straight out before him, one rowel making worm-like marks in the edge of the step,

his back against the jamb of the door.

He studied her lovely profile as she vigorously sifted flour into a great mixing bowl. A truant wisp of hair trailed across her eyes and she impatiently brushed it back with her forearm, getting a smudge of flour on one dimpled cheek. The gingham apron she wore was of simple lines and trimmed with tiny red rickrack that gave it a neat appearance. It became her slender young figure prettily. Her ankles were small without being too delicate or thin and her feet were of a nice size, not for a tiny dancing pump, but to serviceably support the weight of a woman of her build. Jack had seen those neat little feet in riding boots more than once and he secretly admired them.

"Here I sit," he drawled, "when I should have ridden on to town with Jim. 'Tis funny how woman distracts man's mind, isn't it?"

"Say on, you hoary-headed philosopher," she laughed. "I don't know of a thing that is keeping you here. If you had to prepare dinner for twenty-five or thirty fruit pickers you wouldn't be so philosophic."

"Perhaps not. It's easier to contemplate things in the abstract and from the sidelines. It gives one an unbiased viewpoint, too. May I ask what you are making?"

"This will be a peach cobbler when it is done," she answered as she added a number of liberal spoonfuls of lard for shortening the crust.

She began to knead the flour and shortening together briskly, he lazily watching her slim capable hands as they flashed in and out of the mixing bowl. He raised his eyes suddenly and caught her looking at him. She smiled easily, raised one hand to wipe her forehead and dropped her gaze to the work before her. In dissembling, woman has nothing to learn from man.

"Put plenty of salt in," he suggested. "There is nothing like salt for a seasoner."

"What do you know about cooking?" she demanded.

"More than you think I do," he retorted. "Where are your peaches?"

"Stewing in that big kettle on the stove," returned Patty, motioning with her head, and picking up a bucket of buttermilk, preparatory to pouring it into the mixing bowl.

"Wait!" commanded Jack authoritatively. "Did you add soda to that buttermilk?"

"I certainly did," she rejoined smartly. "Will you kindly cease shouting at me?"

He watched her as she stirred vigorously.

"You are a decidedly pretty girl, Patty," he said earnestly. "It is no wonder the DZX boys rave about you and the punchers from all the other ranches are on the verge of eating your father into bankruptcy. I'll venture that ninety percent of your peach pickers are truant cowpunchers."

Her heart leaped at his first words and then dropped back to subnormal at his cool detached

manner of speaking.

"You should feed the poor starved dears at home then," she retorted coolly. "I guess I ought to thank you, however. I believe that is the first compliment you have ever paid me."

"Your life is not made up of compliments surely, despite the silly antics of the punchers hereabouts," he drawled as he snapped his cigarette butt out into the back yard and watched the hens make a concerted mass movement toward the expected tidbit.

"Of course not," she replied indignantly, giving the unsuspecting dough a vicious twist as she lifted it out onto the rolling board.

"In that case a lack of compliments from me has not stunted your growth," he shrugged carelessly.

She bit her lip angrily. He had tripped her neatly and it vexed her. She tossed her head and her round young arms, lovely in their extremely short sleeves, bore crushingly down on the groaning rolling pin.

Jack Montague laughed gently and arose with a jingle of spurs. He stepped swiftly across the floor and placed his lean muscular fingers on her bare arms, standing so close behind her that she could feel her skirt touching the front of his boots.

"You're a dear little girl," he said softly, giving her a gentle squeeze. "And I am an ornery, mean cowboy."

Her heart pounded madly at his touch and she swayed toward him ever so slightly. Then, as she realized that it was but a brotherly attitude he was assuming, almost an impersonal attitude, it maddened her beyond control.

"Take your hands away," she cried sharply.

In startled surprise he dropped his hands and stepped back.

"Who gave you the liberty of placing your hands on me?" she demanded, facing him furiously and stamping her foot. "How dare you be so presumptuous? I—I hate you."

"Why—why, Patty," he stammered. "What in the world is the matter? I was just playing. I wouldn't hurt your feelings for——"

She interrupted him with a scornful gesture that unmistakably meant ignominious dismissal. He stared at her aghast. Then a slow color swept across his face and his smiling eyes grew hard and bright. He straightened imperceptibly and bowed stiffly, formally.

Instantly she realized that she had deeply wounded the pride and feeling of this man. Realizing how trivial was the pretext for her anger and that Jack Montague had never professed any emotion for her, therefore being held to her and her caprices by no thread of allegiance, she knew that he might never take the trouble to return.

She melted toward him at once.

"Forgive me, Jack," she said sweetly, stepping close to him. "I'm an old crosspatch today. It

is so hot and cooking does make one cross."

She looked so lovely and fragrant as she stood before him, her mass of hair furnishing a veritable glow in the kitchen, that he wondered why it was he had never kissed her. He considered this astounding fact. From this thought it was just a step to the speculation whether or not he would miss her were she to leave Lebanon. He looked down at her so oddly that she trembled in fear of having offended him too deeply.

"You are going to stay for dinner, aren't you?" she murmured contritely. "It will be ready to go onto the table as soon as the cobbler is done."

The man relaxed. And because he knew nothing of women he believed exactly what she said, not knowing that behind that angelic little smile was the intense desire to kiss his smiling lips and the converse impish instinct to bite his ear and pull his wavy hair.

"There are ten thousand reasons why I should follow Jim on to town but, do you know, I can't think of a one of them right now," he grinned. "What are you figuring on cooking that cobbler in? Nothing short of a dish pan will hold enough for that wild outfit in the orchard."

"That's what I am going to use, smarty," she retorted. "You may get out that big blue one in the pantry for me. My hands are still full of dough and flour."

He quickly complied, careful now as he passed her not to touch her. She inwardly winced but

knew that she alone was to blame for this.

"I like peach cobbler," grinned Jack boyishly, as he placed the dishpan on the table beside the rolled dough. "Put lots of dumpling dough in the middle with the peaches and make it sweet. I like insides to my pie. Shall I stir the peaches?"

"You are not particular, are you?" said she, cutting the dough into strips and patterns preparatory to laying it in the pan. "Turn out the fire under that stew kettle, please."

He obeyed and came back and stood respectfully at her side.

"Shall I grease the pan?" he asked next.

"I thought you knew how to cook," she said scathingly.

"I do, but I don't know everything about making peach cobbler. Do you or don't you grease the pan?"

"You do not," she responded. "You may see how hot the oven is."

He stuck a superficial hand carelessly into the oven and withdrew it, closing the oven door.

"It's hot," he announced idiotically.

"How bright he is," she shrugged irritably. "How hot is it?"

"Too hot to broil a chicken or a steak," he retorted.

"In that case, it is probably too hot to cook a cobbler," she said, stepping swiftly to the stove and making a few deft adjustments. "I wish we had a gas range," she sighed.

"I am not familiar with your oven," Jack defended himself calmly. "Ovens differ in temperament, you must remember."

"Where did you learn that?" she demanded startledly.

"From our Chinese cook, Sing Li."

"Oh!" she said oddly, glad that he had not learned even that little domestic secret from a woman. "Bring the kettle of peaches over here," she commanded, crossing back to the table.

Obediently he responded. Under her supervision he began pouring the fragrant mass into the cobbler pan, halting every moment so she could place a layer of the dumpling dough in the pan. When the last of the peaches had been emptied into the cobbler she began placing fancifully cut strips of pastry on the top of the steaming dish.

"Are you sure there is enough juice in it?" Jack asked anxiously. "Remember, it cooks pretty dry with all that dough."

She turned and faced him squarely, her hands at her hips, her elbows akimbo with righteous exasperation.

"Young man, if you could work as well as you can advise, you would be a wonder," she said severely, making a little saucy *moue* of impatience.

She made such a tempting morsel that he suddenly decided he was a fool for having never kissed her. Swept on by a sudden urge almost beyond his control he proceeded to manfully make

amends for the oversight.

He felt her lips quiver as she drew a surprised and startled breath—for his suddenness had startled her—and then he experienced a queer thrill as her tender mouth responded to his kiss. When he drew back, striving to analyze his own emotions, Patty's eyes were misty with the secret mysteries of womanhood.

They looked for a long time into each other's eyes, wonder, surprise, tenderness, amazement and finally recognition unfolding before the gaze of each. A hidden power stirred within Jack's slumbering soul and startled him by its intensity. He frightened himself. He wondered what it meant. He wondered if he really loved this woman.

With her surrender Patty realized that her conquest was proving a mutual proposition. Gone was her dream of a proud, vain moment in which Jack Montague trembled while he waited to see whether or not she accepted his love. She felt like a foolish girl who has just realized what a wonderful thing she was trifling with and she was glad it happened like it happened.

"Er—I don't care what you put in the cobbler, Patty," he said inanely.

"Neither do I," she laughed tremulously.

CHAPTER V

JACKSON SCORES

YOUNG Montague rode back to the DZX in the late afternoon. He was still introspectively studying. Love had not swept him off of his feet in one engulfing emotion. The sober habit of thinking ahead, the sturdy resourcefulness that was a priceless heritage from his father, came to his aid now. He wanted to think, to analyze his inner disturbance and properly tabulate his emotions. The dawning miracle of love was a wondrous thing that lifted him completely out of himself. He had never felt so vitally alive before.

By the time he reached the ranch dusk was coming on apace and there was a wild *mêlée* about the corrals where twenty-eight ravenous punchers awaited the clamor of Sing Li's supper bell. The signal sounded and there was a mad rush for the chuck-house as Jack rode up to the corrals. He roused himself and grinned at the shouting punchers. They were a fine lot of boys—couldn't be better.

When the first force of the riot spent itself and the scene in the chuck-house more nearly resembled a supper than a panic, a slim, broad-shouldered,

brown-eyed puncher burst out in vociferous argument with the man at his side.

"Yeah, it's uh bargain. 'Smatter with yuh? I'll give Mister Owens twenty dollars for it an' then I'll paint that there rig uh brilliant hue, hitch th' best DZX hoss to it, an' proceed to corral all th' dates with th' best lookin' gals 'round Lebanon. I'll make all th' rest uh yuh pore punchers look like uh row uh picked crows. I'll ——"

"Ain'tcha coverin' a little too much territory, Mister?" drawled a soft voice from the door, and Jack Montague strode forward toward the vacant chair at the lower end of the table, opposite his father.

Frank Henson eyed the newcomer belligerently, fork poised in mid-air. Then, as young Montague seated himself and began calmly loading his plate, he gulped quickly.

"Nope," he denied composedly. "I ain't. I am sure th' hot stuff an' I'm uh peach specialist."

"Huh? Nonk! Nonk! Nonk! Huh uh, cowboy. Yuh sure ain't," contradicted Jack calmly, slipping into the easy dialect of the punchers. "In th' first place, me an' Mister Blaine are th' only peach specialists they is. Second, yore plans is bound to go wrong. Yuh ain't no Greek god an' yuh wouldn't be at home *behind* uh hoss. Yuh'd keep thinkin' he'd throwed yuh an' be tryin' to stand up constantly. Third, when yuh can buy uh bargain from Mister Owens of Lebanon that'll

be th' beginnin' of th' millennium."

Frank half rose and leaned over the long supper table, glaring indignantly down at his challenger.

"Do I understand yuh to be insinuat'in' that I can't drive uh hoss?" he demanded in profound amazement. "Furthermore an' notwithstandin', how does yuh know this ain't uh good buggy? Yuh ain't no judge uh beauty. Where is it? I didn't hear yuh drive up. Where's Jim. Whatcha two treacherous characters gone an' done now?"

"Oh ho! So that was th' errand yuh wanted Jim to do for yuh," chuckled Jack. "I'm sure I can't enlighten yuh, Mister Henson, as I ain't been to town today."

"He meant yuh wouldn't know what to do with yore feet without no stirrups, prob'bly, Frank," suggested Curly Matthews from across the table. "Uh course he didn't mean you couldn't steer yore outfit. Any cowboy can *steer*."

Frank ignored the shouts of laughter that arose at this sally. He shifted his gaze to the wit and eyed him steadily.

"Some uh them can bull, too," he remarked acidly. "Not gittin' too personal but I couldst name two bright riders uh th' open range that all yuh boys can find without no specs. An' I wouldn't talk about nobody's clumsy feet if I was uh certain curly headed blond. I noticed that his hands and feet got in his way somethin' awful when he met Patty Blaine last fall."

"Mebbeso," returned Curly heatedly. "But don't forget, Cicero Socrates Catiline Marcus Aurelius, yuh, who can ordinarily converse on any subject from botany to—to bad whiskey, an' with th' ease an' grace of uh five foot shelf uh dime novels, yuh was as dumb as uh deaf mute."

The owner of the DZX was forced to smile at the argument. He lifted his voice, in order to be heard above the uproar, and spoke to his son.

"You didn't go on to town with Jim then, son?" he inquired.

"No, sir. I stopped at Blaine's."

"Uh huh," nodded Frank sagely. "That's where yuh git that stuff 'bout bein' uh peach specialist. Anyhow, you ignorant punchers can say whatcha please. Jim's gonna close th' deal for that buggy today. I betcha he drives my rig home tonight."

The rancher glanced at his watch.

"Jim ought to be in by now," he murmured. "Perhaps he stopped at Blaine's for supper."

"If he did, mebbe he'll bring home uh load uh peaches in Frank's buggy," suggested Curly hopefully. "Not th' kind uh peaches Frank an' Jack was arguin' 'bout neither," he added hastily.

"Blaine seems to be doing nicely," said the elder Montague. "Jack, what does he expect to do with his peaches? Will the crop put him on his feet?"

"There were fifty acres of peach trees on the place in their fourth year," replied Jack. "He

was telling me today that they are running good—about two hundred bushels to the acre. Ten thousand bushels at one fifty per bush make fifteen thousand dollars.”

“That ought to place him in easy circumstances for next year,” nodded Montague. “When Jim comes——”

He paused and listened. An instant hush fell over the more or less noisy cowpunchers. The faint but distinct clatter of flying hoofs came to their ears, sounding in the stillness like the eerie galloping of a fairy horse upon a tiny drum. Louder thundered the pounding hoofs as the rider drew nearer.

“From town — or Blaine’s,” said Curly. “Must be Jim.”

“That’s a strange horse,” vetoed Montague.

“An’ Jim don’t never ride thataway,” added Frank.

“Whoever it is, he’s in a sure enough hurry. Let’s go out to the corrals to meet him,” suggested Jack.

There was the rough scraping of benches and chairs and they trooped down to the fenced enclosures just as the rider loomed up through the dusk and flung himself from his sweating, heaving mount.

“Where’s Montague?” he demanded.

“Here,” said the rancher quietly. “What’s wrong, Winters?”

“Jim got in uh fracas with Jackson th’ gam-

bler," announced the newcomer tersely. "They're bringin' him home in uh wagon. I rode ahead so's to tell yuh to fix up for him."

"Do you mean——?" began the ranchman.

"No, huh uh," said Winters quickly. "They jes' had uh li'l argument an' shootin' scrape an' Jim was plugged in th' shoulder. Doctor Sawyer fixed him up but he'll hafta lay round for uh day or so."

"How did it happen?" the punchers demanded.

"Waal," hesitated Winters, "considerin' as how I didn't see it, I don't jes' know. I heard it said that Jim didn't have his gun with him."

"Where did the trouble take place?" queried Jack, laying his hand gently on the horseman's arm.

"In th' barroom of th' Texas Hotel," informed Winters.

"Boys, do you hear?" said Jack in a peculiar vibrant voice, all slurring speech burned away. "You know who Jackson is—the Chicago gambler who tried to trim Dad and Blaine last fall. He hates us like poison. He never returned to Chicago. I guess he never will, now. Any of you want to go to town with me?"

"Just a minute, son," came the steady, even voice of the father. "If this is nothing but a minor affair, we can do nothing. If it is really the first act of a planned revenge, you'd be inviting death to ride blundering into town after Jackson tonight. All of the crooked element will be with

him solid. Otherwise he would never have started this. Maybe it was just a light affair. Suppose we wait and hear Jim's story before we do anything? One of you boys go tell Sing Li to prepare a bed."

The wagon bearing the wounded man arrived shortly and the foreman of the DZX ranch was tenderly carried into the house and placed in bed. The deft hands of Sing Li, Chinese cook and dexterous housekeeper for the Montague menage, smoothed the pillows and held a tiny glass of whiskey to his lips.

Propped carefully up, Harrison surveyed the silent and tense group of punchers who crowded into the room to hear his story. He pursed his lips and studied them painfully for a moment.

"Now, boys, don't get ugly," he stated finally. "Don't yuh fret none and don't get impatient. They ain't no feud, they ain't no cattle war, they ain't no trouble. They's jes' one crazy gambler gone loco."

"I should have gone on to town with you this morning," choked Jack. "I shouldn't have stopped at the Blaine farm."

"Now, Jack, rope them idees an' corral them feelin's. Lemme tell how it happened. Yuh see, I went on to town when yuh stopped at the' farm an' I proceeded to tend to th' ranch business. Then I takes th' afternoon to run 'round on them foolish errands yuh misfit cowpunchers was too lazy to do yoreselves th' last time yuh was in—

among which I looked at that ole rig for yuh, Frank, an' I'll tell a man it's uh rotten outfit. That's how 'Horsehead' Owens accumulated all his money — skinnin' ignorant cowpunchers.

"Well, some time before I was ready to start back I steps in th' Texas Hotel to look 'round an' to take on uh extra drink. I wasn't lookin' for no trouble an' I'd left my gun at Wilkerson's Repair Shop to be tightened uh li'l. This here Jackson was at th' bar conversin' with that other snake, Carter. They nudges one another an' moves kinda close when I orders my throat gargle but natchurly I didn't pay 'em much attention. I starts to drink an' Jackson jostles my elbow an' makes me slop th' stuff all over my hand. I looks him over kinda careful an' it appears to me he's already carryin' more'n his share so I passes it up.

"But th' sonuvagun ain't content with that. He looks me right in th' eye an' makes uh nasty crack about Bill Montague. That riles me an' I flings my glass an' all in his face. He cussed an' spluttered an' then we both reaches for our guns. Mine ain't there. That's all there are to it," Harrison finished laconically.

"Do you mean to say that Jackson actually shot an unarmed man?" demanded Jack incredulously, ominously.

"Now, Jack, now Jack," soothed the foreman. "Don'tcha go flyin' off thataway. Everybody seen me reach jes' like he did. He didn't know I'd left my gun anywheres."

"So much for that," said Jack with a thin little knife-edged smile. "I guess we'd better be moseying along toward town, boys."

He turned to go, the punchers making ready to follow him in a solid body. The rancher and the foreman exchanged glances.

"Remember, boys," said Montague slowly, "these are not the wild days of the fifties. You will be liable to arrest for murder."

"Murder!" laughed Jack shortly. "After that kind of a raw deal?"

His father nodded firmly.

"But I am to blame," stated the young man bitterly. "If I hadn't let Jim go on alone it never would have happened. C'mon, boys."

"Wait!" commanded Harrison weakly.

Jack faced the man on the bed interrogatingly.

"Go, if yuh insist on goin', Jack," said the foreman. "But promise me one thing, will yuh?"

"What?"

"Clean up th' whole dang town if yuh want to but leave Jackson alone. D'yuh hear me? Leave Jackson plum alone. He's mine. I'll settle with Mr. Jackson when I get limbered up again."

Jack protested vehemently but the foreman remained firm in his demand. Young Montague turned to his father for support. The elder man's eyes were hard and cold as he considered his foreman's story but he slowly shook his head.

"Jim is right, son. It's his privilege to settle

with Jackson as he wishes."

"Promise me, Jack," pleaded the wounded man, fearing the impulsiveness of the young man. "Promise me yuh won't mix with Jackson no time on no account."

"There is no use going to town at all if I make such a promise," frowned young Montague impatiently.

"Don't go, then. That goes for all yuh ungainly cowpunchers, d'yuh hear? Yuh wouldn't cheat a pore ole man like me outa uh li'l fun, 'specially seein' I've done paid th' admission price, would yuh?"

"Ole man, hell!" snorted Curly disgustedly. "Yuh don't seem to mind cheatin' us pore li'l boys outa some justifiable excitement."

"I docks yore wages one dollar for disrespect," Harrison grinned weakly. "Are yuh promisin', Jack?"

"All right," growled the young man reluctantly. "I promise and I bet I'll be sorry I did."

"All you cow nursemaids go on to bed now," commanded Montague relievedly. "That includes you, Jack. You've got to ride fences tomorrow and Jim needs rest."

After the room had emptied of the restless, disappointed and dissatisfied men, Montague drew his chair close to the bed. Sing Li folded his arms and took his position calmly in the doorway.

"Well?" demanded Montague.

"It was uh frame-up, Bill," whispered the

wounded man. "Yuh know who hangs out at th' Texas Hotel as a rule. Jackson has got that gang behind him strong. There's going to be trouble. But th' most surprisin' thing to me was that Jackson an' Carter wasn't by themselves at th' bar. I didn't tell th' boys 'cause I thought I'd wait an' talk it over with you alone. Owens was with them. Think of that! Ain't things brewin' up in uh sweet li'l mess? An', Bill, they'd of got me too, if my gun hadn't been missin'. Owens didn't raise his hand. That was the luckiest miss I ever had. I'd have been uh regular sieve an' yuh wouldn't ever knowed who was *innocent*."

"Owens?"

The rancher was distinctly startled.

"Yep. Owens. Bill, he's out for us an' when we go to town we better go in uh bunch an' ride herd on 'em."

"I guess the Texas Hotel will have to go," said Montague regretfully. "If that lawless element gets a fresh start, they'll set us back fifty years. All of the desperadoes of Texas, Arkansas, and Oklahoma will flock to Lebanon. We'll have to move the Federal Criminal Court at Ft. Smith over here. But how did Owens happen to get mixed up in this business? That gets me. This will put him in bad."

"He ain't th' most religious man I ever seen," commented the foreman dryly. "That was pretty raw but I kinda guess he figured he was too big for me to link him up with that bunch uh short-

horns. I never was so close to th' happy huntin' grounds in all my life. When we started to draw, Jackson shot once an' I fell. Everybody I could see all over th' lobby had uh gun an' was coverin' me. I think they was takin' my heavenly toga outa th' mothballs when somebody yelled—I believe it was that other gambler Tilby— 'Stop, yuh fools. This is murder. Can't yuh see he ain't got no gun?'"

The rancher nodded thoughtfully.

"I guess I'll ride in and consult with Judge Ryan very shortly. We'll have to break up this pleasant little ring before it becomes a syndicate. You forget it for the present and try to get some sleep, Jim. Is there anything you want?"

"You slippum 'long, Misse Montague. See lilly cowboys shootee claps in flont loom. Sing Li allee same watchee 'long side Misse Jim," announced the blandly smiling Oriental from the door.

CHAPTER VI

JACK REGRETS HIS PROMISE

THE next morning Jack found himself detailed to carry on the foreman's work until the incapacitated Harrison could again assume charge. He found it next to impossible to get out from under the watchful eye of his father. Resignedly he worked all day, but early the following morning he determinedly saddled his horse and leaped into the saddle.

"Where to, son?"

He wheeled his mount to find his father coming down toward the corrals, an indulgent but questioning smile on his face.

"Over to Blaine's, Dad," he admitted, flushing a trifle. "The boys have their work all laid out and can do very nicely until I come back. I'll return before noon."

"All right," smiled Montague. "Give Patty *my* regards too—if you think of it."

Jack grinned and shook his fist in mock anger as he galloped away.

"I'll bring Jim a few peaches if Blaine hasn't stripped his trees," he called back.

He found the young lady in question making ready to ride into Lebanon for a number of household supplies. With an exultant whoop, he swung

off of his horse and joyfully encircled her slender young form with his arms as she was calmly and efficiently tightening the cinch of her saddle. Quick as a bird, she stooped and darted under her horse's belly, leaving his arms empty, his hands clutching the saddle girth, while the saddle pony looked around curiously.

"Finish tightening it, smarty," she said coolly, "while I go get a pair of saddlebags from the barn. Do you want to ride to town with me."

"Does a lost calf bawl?" responded the unabashed although discomfited Jack. "Got any peaches left? I mean fruit peaches."

She favored him with a saucy glance.

"A few. All of the market stock is gone. Daddy sent the last load to town yesterday."

She was terribly anxious to ask him where he had been the day before; why he had not come over to see her. She wondered if she had been too immodest or too bold in some unsuspected way. All day she had been so irritable and uncertain that her father had gone about the place uneasily. Unable to stand the inactivity longer she made up her mind to go to town this morning.

She had heard that Harrison was slightly wounded as Winters had stopped by to tell them on his way to town. Blaine had ridden over to the DZX ranch the following day and had found the foreman in very good spirits. He had not seen Jack as the young man had been out on the range with the men. Hence, he had not men-

tioned the young man to Patty although she asked very solicitously and sedulously regarding Harrison. She wouldn't have mentioned Jack Montague's name for worlds.

Now that Jack was here she became perfectly calm—instantaneously. Now that he was with her she decided to get mad at him because he had made her feel so miserable yesterday. Just what inspires a woman with these charming little ideas it is hard to say. She realized that he had probably been too busy to come to see her yesterday, but she hadn't been able to refrain from worrying and now that he stood before her she realized that she had fretted needlessly.

Patty was still rebellious. She was so high-spirited she hated to surrender herself even to this man without a more severe struggle. The fact that she was unable to struggle piqued her all the more. And he hadn't told her that he loved her yet, either.

"Where is your father going to ship the peaches?" he broke in prosaically on her musings. "To Memphis by steamboat?"

"I have no idea," she said impatiently, looking angrily up into his eyes.

The growing admiration she saw there heightened her color and made her self-conscious. Instantly she fell back on the commonplace topic which she had scorned in him.

"I believe he said something about a good price if shipped north by rail. Mr. Owens is attending

to that for him."

"Owens?" frowned Jack. "I don't give that man so much, myself. I don't know why. I just don't like him."

"I think he is nice," she murmured perversely, thinking that here was the opportunity she sought to arouse his anger or jealousy.

To her surprise Jack did not become angry. Vaguely he disappointed her. It was like pulling the trigger of a heavy shotgun after bracing and tensing against the mighty kick and roar and then having the hammer click harmlessly.

"I have no reason for disliking the man," Jack hastened to speak in all fairness. "He is probably perfectly all right and I shouldn't feel as I do. Owens is a big business man in Lebanon. I'm glad he is helping your father."

"Oh, fudge," exclaimed Patty impatiently, flinging herself onto her pony. "You are like a wet firecracker."

"How so?" demanded the surprised man.

"You'd never understand in a week," she rejoined tartly. "Come on. I'll race you to Hawkins' Draw."

This was language Jack understood. Like a flash he leaped from the ground into his saddle and whirled his mount that had long since become used to his athletic eccentricities. They sped out through the wide gate and down the road neck and neck.

They rode into the main street of Lebanon at

Dallas Corner, breathlessly and laughing. Half-way down the street which ended at the wharves on the river they drew up and dismounted before Owens' General Store.

A tall individual of fastidious and somewhat fantastic dress, slightly unconventional dress even in a free and easy cow town—dress such as many gamblers of the old days affected, appraised them from the corner of his eye without lifting his head as they entered the building. He tossed away his cigarette and sauntered carelessly across the baked mud street toward the Texas Hotel.

Entering the lobby he strode briskly up to the gambling rooms on the third floor. Singling out two men who sat talking together he approached them. Without preamble he addressed himself to the handsomer of the two.

"Young Montague just came to town with the Blaine girl," he announced briefly. "They've just entered Owens' store."

The seated men looked up quickly. An ugly expression crossed the face of the man addressed. The other lowered his tilted chair and leaned across the table.

"Go easy, Jackson," he warned. "No rough stuff with the girl present."

A sneering expression came over Jackson's face.

"When it comes to petty scruples and cautiousness, Tilby, you win the Scotch-Jew's birthright. We haven't heard a peep out of the DZX outfit since I sent Harrison home on a shutter."

"That is just what worries me," admitted Tilby. "That was a pretty rank cut. You *knew* Harrison's holster was empty."

"Yes, and I meant to kill him with one shot too. How did I know whether or not he had another gun on him? You saw him reach, didn't you?"

The Kentuckian shrugged. He was forced to nod. Jackson faced the newcomer.

"What would you have done, Carter?" he demanded.

"You were doing it," smiled the standing gambler thinly. "I didn't butt in. Only I believe I'd have shot truer."

"Rot!" snorted Jackson contemptuously. "He made such a queer little jump when he discovered that his gun was missing that I couldn't help it. Anybody else would have missed."

"All right," agreed Carter amiably. "What about this Montague yearling?"

"We'll get him right now," decided Jackson tersely. "Maybe that will bring Montague in where we are prepared to receive him."

"You can't go too strong, remember that," protested Tilby. "This country is getting civilized a lot faster than you think. Just because we have no street cars or paved streets here don't mean that you are out of reach of the law. You do anything around the girl and Blaine will complain—rigorously. He's that kind. Carruthers will have to start something."

"Blaine!" sneered Jackson. "Blaine! Don't lose any sleep over Blaine. I've already tagged him and his name is plain mud. The sheriff won't start anything either. He belongs to Owens and you know it. He won't make a peep."

"But how sure are you that Owens will stand for anything this strong?" still hesitated Tilby.

"Owens is a complete crook if I ever saw one," stated Jackson patiently. "He is with us on this Blaine affair."

"He may be," agreed Tilby slowly. "And he may control the sheriff but he can't over-ride everything this crudely. He doesn't control the courts, remember."

"Don't you know that there has been an outbreak of rustling north of here?" demanded Jackson wearily.

"Yes," nodded Tilby.

"Well, Carruthers will have plenty to do to look after that kind of trouble and we won't be noticed. Come on."

"What are you going to do?"

"I am going to collect twenty thousand dollars worth of revenge for us and I started in the day before yesterday. No man has ever pulled a stunt on me like Montague did last fall. No one can do it and live either," snarled Jackson savagely, his lips curling back from his even white teeth. "If you are too white-livered to sit in on this game with that smart rancher—keep out. And keep your mouth out. Just because you haven't

guts enough to even that score with Montague, don't back pedal on me. Do you savvy?"

The Kentuckian paled a trifle. His hands trembled as he slowly arose and eyed the other steadily.

"You forget," he said hoarsely, "that it was I who flirted with death last fall when I accused Bill Montague of being a card cheat. Kindly remember what happened to that perfect scheme of yours. Now, just because I don't choose to be a fool, because I caution you against muddling our plays by your personal hatred, you insult me."

Jackson studied him for an instant. He knew himself to be the better man with a gun. But Tilby was a man who had once possessed pride and self-respect. The Chicagoan read in the other the fanatical intention of sacrificing himself if necessary upon the altar of what little manhood remained within him—the altar of courage. It didn't pay to kill a man like that. Anyway, Tilby was right about being cautious. Besides, were he to miss——

He shrugged and smiled.

"I beg your pardon, Tilby. I spoke too hastily. But what I said about Carruthers was true. Think it over. Will you go with us to Owens' store?"

"Oh, I'll go, all right," agreed Tilby noncommittally.

They found the young couple busily filling their saddlebags with various small parcels. There

were two or three loungers in the store who looked suddenly apprehensive at the entrance of the three gamblers and who slipped noiselessly away. Owens himself was not in evidence, for which Jackson was glad. He might have objected to the trouble taking place in his building.

Carter halted near the door and, after a careful glance about the store, kept a sharp lookout on the street. Tilby leaned carelessly on a counter and faced the rear of the store, while Jackson moved softly over until his shadow fell across the counter before the busy young ranchman.

There being plenty of counter space for the new customer to be waited on by the clerk, young Montague did not move. He felt the sudden quiet and sensed something wrong but he did not take it onto himself to look around. The less a bystander moves and sees sometimes, the better.

Jackson waited for an instant, planning his attack. Then, apparently observing the girl for the first time, he bowed and smiled. With a sweep of his hand he knocked several of the packages to the floor.

"Trying to take up all of the counter?" he asked uglily. "Get out of the way and let the lady be waited on."

Young Montague looked up in quick surprise. As he recognized the gambler, a quick flame leaped into his eyes, matching the hatred which blazed in the cold blue eyes before him. He took

in the loosely hanging right hand with its slightly curved fingers. His gaze quickly took in the situation, the positions of Carter and Tilby. He was cornered.

The realization of this but further angered him. He had always been slow to anger all of his life and he did not flare up violently now. He was almost calm as he observed the white-faced clerk behind the counter lick his lips and tremble violently. He glanced behind him to see if Patty had drawn out of the line of fire. She stood, a delicious little figure in her riding breeches and trim little boots, hands clasped against her breast and eyeing him so strangely.

"Well?" rasped Jackson, almost trembling in his eagerness, his fingers twitching closer to the handle of his gun. "Why don't you move? You waiting for the lady to pick up your bundles?"

"Why don't you draw that pistol and hold it in your hand?" suggested Jack softly, silkily. "That would be a bit safer way to insult a man."

"That's right, Jackson," drawled Tilby. "You don't want to be pulled before Judge Ryan for murder. Give the kid a fair break."

Jackson laughed sneeringly and with a visible effort folded his arms.

"What's the matter, boy? Afraid of getting the same dose your foreman got?"

Jack, who had been tensing his muscles for quick action and having glanced behind him again to make sure that the girl was safely out of the

way, relaxed. The mention of Harrison suddenly recalled his solemn promise to Jim. For a long moment he stared into the hard eyes of the gambler, who, fearless man though he was, must have felt the longing he saw in the younger man's gaze. Then, without a word, Jack stooped and picked up the fallen packages.

White to the lips, completely sick with rage and humiliation, he stuffed them into the saddlebags and flung the leather sacks over his shoulders. Avoiding the eyes of everyone he walked out and hung the bags onto the saddles.

"And that's the fellow who wanted to eat you up last fall, Tilby," said Jackson mockingly as he bowed again to the infuriated girl before him.

Patty drew herself up imperiously and with flashing eyes and flaming face walked furiously out to the horses. She drew back from her companion with a glance of burning scorn as he sought to assist her into her saddle. Before the amazed Jack could comprehend she swung herself onto her mount and touched the animal smartly. The beast leaped forward and she galloped down the street toward Dallas Corner.

Surprised, still silent, and fighting against his anger at his helplessness, the man spurred after her, neither of them missing the amazed but taunting laughter of the gambler in the store.

Jack overtook her shortly after turning out on Dallas Road.

"Say," he called. "What's the matter?"

"What's the matter with *you*, you—you coward," she almost sobbed.

"Oh!" exclaimed he, understanding being granted him. "That's the man who shot Jim when he went into the Texas Hotel unarmed the other day."

"I notice that you are not unarmed, though," she rejoined scornfully.

"Jim will be going back to town in a few days," said Jack quietly, his face flushing.

"What has that to do with you? Oh, leave me alone. Don't ride with me. Don't ever speak to me again," she burst out, touching her horse with a spur.

The man spurred after her. When he caught up again he coolly reached across and caught the bits of her mount. Bringing both horses to a stop he studied her quizzically.

"Control yourself, young lady," he admonished firmly. "Can't you understand this matter without me drawing you a picture of it? Now, when Jim——"

She raised her bridle reins and brought the dangling ends down across his wrist with a hard slap. The leather straps wrapped burningly about his forearm. He quivered a trifle as he held her horse steady and looked at her reproofing eyes.

"Turn my horse loose," she demanded furiously. "Let me go. That is the way a coward acts generally—bullying women. Leave me

alone, I say."

A tiny flame began to burn in the man's eyes. He looked at her peculiarly. His lips gradually drew taut over his teeth and he glanced back toward Dallas Corner. His appearance startled her. She had never seen him look like this before. He looked like an unleashed tiger, somehow. She was afraid.

He calmly unfastened with his free hand the saddlebag from the cantle of his saddle and swung it before the girl.

"The remainder of your packages, mademoiselle," he said frigidly, stiffly polite.

Raising his hat with an exaggerated courtesy he released her reins, wheeled his mount and galloped back toward Dallas Corner, leaving a frightened, amazed, and highly indignant young woman completely in possession of the solitude she had craved.

CHAPTER VII

AN INTERVIEW WITH THE SHERIFF

IT CUT deeply to have Patty think him a coward. But he couldn't blame her. His conduct had looked funny. Confound that promise to Jim anyway. He knew he would regret it. He gritted his teeth as the echo of Jackson's unpleasant laugh rang in his ears. He proceeded to mentally draw and quarter the handsome gambler after putting him through numerous tortures that put the Inquisition to blush. Surely there was some way he could be revenged upon the man without breaking his promise to the foreman. Ah! There was. He could call on the sheriff.

His horse turned, stopped, and lowered its head at the hitch rail before the Mexican Dollar saloon. Jack smiled. His good humor was restored and he was a normal being once more. The inner dynamo had but stirred.

"I reckon that is as good a suggestion as any, pinto," he said, patting the animal's neck. "I'll run in and take a little shot before we go farther."

He swung one leg over the horse's back and then stood in one stirrup in surprise. Three men stepped out through the swinging doors of the saloon. They eyed him in stunned astonishment for a split second. Then, with a startled oath,

the middle man made a swift grab at his holster. Instantly, the two others caught his arms and hurried him back into the saloon.

"Upon second thought," amended Jack to his patiently waiting mount, "I guess that's as near a shot as I want this morning. We'll mosey on down the boulevard. Now what the mischief is Owens doing playing around with Jackson and Carter? Of course he owns the Mexican Dollar and can go in and out with any of his patrons he wishes to, but it looks funny."

A hundred yards farther on he slacked his reins and leaped down before a weather-beaten, one-storied, little frame building, above the door of which a tin sign swinging on a short iron arm proclaimed that this was the sheriff's office until the new municipal courthouse was finished.

The door was open and Jack rode up on to the stone sidewalk and peered in. Sheriff Carruthers was present and he was alone.

Jack dismounted and entered. He found the sheriff seated behind his desk, fingers wide spread and pressed tip to tip. The troubled expression sitting upon his brow indicated that he was pursuing a very elusive thought.

The most striking feature about Sheriff Carruthers was his very prolific beard, one of the most famous in the entire Southwest. He was of that old school of pilose fossils whose beards made the West very picturesque, but which, nevertheless, smelled like hair and were stained with

tobacco juice. In conversing with one, the sheriff had a nervous or at least an irritating habit of fingering his lengthy appendage, twisting it into peculiar knots and geometric symbols. He varied the monotony of this when he endorsed an agreeable statement. In this case he made one complete stroke of his beard horizontally, ironing out the little tangles he might have made, preparing for a new intricate design, and sanctioning a remark at one and the same time. His black eyes stared beadily up at his visitor.

"Sheriff Carruthers, I believe," stated Jack gravely.

The representative of the law maintained his intense pose of concentration. He compromised this cold and distant attitude by cocking a thoughtful eye at the newcomer. Then he squinted carefully at the ceiling as though weighing the remark thoroughly before committing himself to any statement. Finally he brought his hard eyes back to the slim and straight form before him.

"Kee—rect," he announced, jerking out a salute with his beard.

"Wonderful," sighed Jack in tremulous relief. "But I hardly thought I could be mistaken."

"How's that?" grunted Carruthers suspiciously.

"You almost made me think that I had picked the wrong man," rejoined young Montague seriously. "However I now see that it is really you. I recognize you by yourself, you see. Had

you been other than who you are you wouldn't have been quite so easy of identification as your present self. But it is not necessary to consider that contingency. Hence, you being——"

"Huh?" snorted the sheriff, jerking erect. "Whatinell yuh talkin' 'bout?"

"Nothing. Nothing," waved the young man easily. "Contain yourself. I was just thinking that you were not so glad to see me. Your indolent attitude denotes a sluggish liver. Get Doctor Sawyer to give you a good round of calomel. It will do you no end of good."

Carruthers narrowed his eyes and stared uglily at the other.

"What are yuh lookin' for, young feller? Trouble?"

"Not at all, my good sir, not at all. I wish to confer with you. But I didn't see you jump up and give me a welcome hand, saying, 'Glad yuh dropped in, Mr. Montague. Is there anything I can do for yuh?' Really, my reception has been anything but cordial."

"Oh!" said Carruthers, raising his eyebrows. "Yore name Montague? I was deep in th' study of uh rustlin' problem. What's on yore mind?"

"You!" snapped the young rancher suddenly, crisply, and the sheriff started. "Why haven't you put the attempted murderer of Jim Harrison behind the bars? He's still at liberty."

"Murderer? Bars?" rumbled Carruthers, fumbling with his whiskers. "Them's heavy

words, young feller."

"I've the foolish idea that I'm heavy enough to back 'em up."

"Foolish? *Foolish?*" quizzed the other thoughtfully. "Kee—rect," he chuckled, stroking his beard with a swift, smooth motion that bespoke many hours of practice.

"Just because you swallowed a horse, don't get funny."

"Swallowed uh hoss?"

The sheriff floundered heavily far behind Jack's wit.

"I don't——"

"I notice you currying its tail there."

Carruthers scowled blackly. He eyed the young man heavily.

"Jackson, the gambler, shot Jim Harrison the day before yesterday in wanton cold bloodedness," pursued young Montague. "Now, why haven't you locked him up?"

"Did yuh see th' shootin', young feller?" queried Carruthers softly.

"No. But plenty of others did," returned Jack shortly.

"Kee—rect," endorsed the sheriff approvingly, running the scale on his whisker trombone. "I've inquired all 'round an' I found it was jes' uh simple shootin' scrape. They both went fer their guns."

"And Harrison didn't have his gun with him," concluded Jack warmly.

Carruthers shrugged as he twisted his beard into a triangular braid. "That wasn't my fault, I don't reckon. Yuh ain't holdin' *me* responsible fer that?"

The ranchman ignored the sarcasm. He pointed one finger accusingly at the bulky man behind the desk.

"Jackson knew that Harrison was unarmed," he grated.

"Huh? Is that possible?"

The sheriff was the personification of pained surprise.

The young man snorted in impatient disgust.

"Prove it," stated the sheriff. "Prove it an' yuh won't even hafta swear out uh warrant."

He turned back to his desk and dexterously thrust a black stogie through the pilose monstrosity upon his face, unerringly finding his mouth. Jack stared in wonder, even as he stiffened under the plain dismissal.

"Do I understand that you will take no action, then?" he demanded in a hard voice.

"If yore hearin' is good," rejoined Carruthers indifferently.

The ranchman turned abruptly and started out. The sheriff grinned behind his whiskers—a grin that changed into an idiotic expression as the other whirled about and flung one parting shot before springing upon his horse.

"Don't light that stogie unless those Russian pets are asbestos. Kee—rect?" said Jack.

He rode back to the ranch in a disgruntled mood. No one was in evidence about the Blaine house as he rode by and he traveled stolidly by, never seeing the flash of the curtain in the front room.

He found his father talking with the foreman who was sitting up in bed. Entering the room he sat down so disgustedly that the cattleman eyed him keenly.

"Spill it, son. Patty out riding with Curly or somebody?"

"Naw," returned Jack inelegantly. "I've run a blazer on this gang."

"What's ailin' yuh, Jack?" asked Harrison, studying the young fellow's angry face.

"I went to town with Patty Blaine this morning," announced the young man abruptly.

Montague and Harrison exchanged glances.

"Well?" prompted the father.

"Jackson and his two henchmen came into Owens' store and tried to start a rumpus. I kept my promise."

"An' came home alive," added Harrison gently.

"I'd rather have died," declared Jack, his eyes flashing. "I had to slink out like a mangy cur."

The foreman's eyes shone suspiciously.

"It takes a braver man to do that, son," he said softly.

"That wasn't the worst," added Jack bitterly.

"What did she say, Jack?" asked his father.

The young man snapped erect and glared at his father.

"How did you know?" he demanded.

The rancher only smiled slightly, commiseratingly.

"She got so mad she almost scorched," admitted his son ruefully. "She ran away from me twice and I finally let her go. I was so mad I turned around and went back to town. She thinks I'm afraid of the gambler."

"What did you do when you went back?" demanded the father quickly.

"Nothing much. I saw Jackson, Carter, and Owens coming out of the Mexican Dollar. Jackson nearly fainted at my reappearance and then he'd have shot me if the other two hadn't grabbed him. I decided to go see the sheriff and find out why he hadn't arrested the gambler."

"What did he say?" asked Harrison curiously.

"He said for me to prove that Jackson knew you were unarmed. What do you know about that? Not a single bit of action has been taken. I guess I ought to have gone to see Judge Ryan. What do you know about Owens being with that healthy pair?"

"We feared as much, Jack," admitted his father slowly. "I guess this about settles it. It is now our move. For some obscure reason Owens, one of the richest men in Lebanon, is protecting the gamblers. Carruthers belongs to him and so there you are. I'll ride in to see Judge

Ryan myself tonight — after dark."

"I'll be ready," agreed Jack.

"To stay on the ranch and keep an eye on the punchers," finished the elder Montague.

"Aw, Dad. That isn't fair. Sing Li is here to take care of Jim and the boys'll go to bed. Are you trying to hide something from me?"

"No. Not now. Your place is here, particularly should anything unforeseen occur. You and Jim can thresh out the whole matter."

"All right, all right. I'm the goat," agreed Jack resignedly. "Jim, if yuh want me to roll yuh some cigarettes, heap together yore wanderin' wits an' talk sense tonight. Things ain't suitin' me none whatsoever."

CHAPTER VIII

OWENS' COMPLICITY

IT WAS a clear night and the sky was of that blue-gray color which lingers after dusk in early summer before the stars gradually wink into being, slipping into their places in the heavens like truant scholars who fear the wrath of the school master for their tardiness. An early moon, delicately veiled in a fleecy lacework of clouds, was calmly sailing in the east, slowly climbing her invisible ladder toward the zenith.

Bill Montague rode silently along the clearly defined road to Lebanon, swaying slightly to the motion of his horse, enjoying the creak of saddle leather, his mount's "horsey" odor, the strong and comfortable gait. It took the wide, open reaches of the range, along with other things, to bring him solace for the gentle wife who had tarried with him but so short a while.

As he skirted Blaine's fence-lined property he glanced sympathetically toward the neat, white farmhouse which was set in quite a bit from the road. With all of his sorrow he sensed that Blaine had faced a more stony life amid bleak surroundings as a widower with a lone girl child.

A figure on horseback rode out from under the shadow of a great oak tree where the road turned

in at the farm gate and stopped. The rancher spoke to his horse which immediately slowed to a walk. He quietly slipped his holster toward the front. For his observant eye had noted that the rider before him wore two cartridge belts with holsters crisscrossed about his hips. In the crook of his arm he carried a heavy rifle.

"That you, Montague?" called the stationary horseman.

"Hello, Blaine," responded the cattleman calmly. "Riding somewhere tonight?"

"Yep," replied the fruit grower shortly. "You weren't coming to my place, were you?"

"No. I'm riding toward town myself. Going that way?"

Blaine nodded and swung his horse around to pair the rancher's mount. They rode for a few yards in silence, Montague glancing keenly under the brim of the other's hat into Blaine's tense face.

"How did the peach crop come out?" he ventured at length, speaking casually and gesturing toward the rows and rows of peach trees in the orchard they were passing.

"Good crop," grunted Blaine shortly. "Just a few eating peaches left."

Montague nodded. At length, violating the tacit silence of the westerner, he said quietly:

"Anything I can do, Blaine?"

"I knew you were going to ask that," responded the fruit grower unresentfully. "I guess not."

Business deal. Got to interview a man."

"Not meaning to be too personal, Blaine, but it looks like you are prepared for a pretty stormy interview. Don't forget—your daughter."

"Thanks. You're neighborly, Montague, and you've been mighty kind to me. I don't see how you can help and I don't want you just butting in, but I'll tell you. It's Owens. I turned my entire peach crop over to him. He was to ship them at once. I was to pay him twenty-five cents per bushel for storage and brokerage."

Montague checked an exclamation. Things were becoming clearer to him. Instead of speaking he looked across Blaine's shoulder at the massed rows of trees.

"This afternoon I heard from Owens," continued Blaine in a weary voice. "He said that half of my peaches rotted before he could ship them. The balance had to be sold for culls at a dollar a bushel. He attached a bill of lading showing that he had shipped only four cars of peaches. He deducted storage and commission on the entire ten thousand bushels and sent me his check for twenty-five hundred dollars. If I——"

He ceased and drew rein. Montague did likewise and they listened intently to a slight commotion in the orchard. There was a faint crash and the unmistakable sound of a vexed man swearing fluently.

"Who's there?" called Blaine.

There was no answer and the linguistic artist fell suddenly silent.

"I'll stir you up a bit, whoever you are," grunted the fruit grower and he raised his rifle to his shoulder.

As the sharp staccato of the shot barked out in the stillness there was the rapid rustling of leaves in the orchard.

"Hey!" bellowed an irate voice. "It ain't fair to hunt birds with uh rifle. Yuh come mighty near shootin' th' britches offa me."

"How many of you birds are there," laughed Montague. "No balking now, Curly."

"Jes' me an' Frank," called back the peach fancier sheepishly.

There was startled protest by another voice.

"He's th' biggest liar in seven states, Mr. Montague. He's plumb by hisself."

"You two boys come here," commanded the rancher.

He turned back to Blaine.

"You had just received a check from Owens," he prompted. "Go on."

"If I accept it, I am ruined," resumed the agriculturist in a dispassionate voice. "Will hardly pay pickers and boxing expenses. I can't pay the mortgage—can't renew it—can't even live the rest of the year. I think I can make Owens change his mind."

"I don't think you can," disagreed the rancher quietly. "In any event, remember that you can

arrange the matter of a loan with me, if it comes to that."

"Thank you, Montague. I know you mean it. But that would be just that much more money to pay back. I want my own money. Not used to being held up without a gun. Don't like it."

"I fear you will never get to Owens alive while you are in this frame of mind. Don't you know he will be looking for you? If you were to reach him, to shoot him won't relieve matters—it'll just complicate them. He had you all sewed up before he made this move, I will swear it. You won't be able to prove a thing."

"What do you want me to do? Take it lying down?"

"No! But there is more to it than just stealing your peaches. Do you remember that poker game last fall?"

"I'm hardly likely to forget it," returned Blaine.

"And you know that Jackson wounded Harrison the other day. Now let me add something you don't know. Owens was with the gambler when he winged Jim. They are in cahoots and Owens owns the sheriff. Jack was in town this morning and Jackson tried to get him."

"Patty told me about that," said Blaine, wincing at the remembrance of the furious young woman who had taken out her anger on him.

"Jack had promised Jim not to mix with the gambler," explained Montague casually, "so he

was unable to mix with Jackson, which was a very fortunate thing."

"Sensible," endorsed Blaine. "I figured that it was something of that nature."

"I am on my way to see Judge Ryan now. You had better go with me," suggested the rancher. "Legal consultation is essential. We want to find out just where we stand before we make a move."

Before the other could reply the two peach poachers came up to the horsemen.

"Me an' Curly was after some peaches 'cause Jim an' Jack didn't bring none," Frank began explaining. "Yuh see——"

"Where are your horses?" interrupted Montague crisply.

"Cross th' road in that clump uh laurels," stated Curly quickly, catching the steely timbre in the rancher's voice.

"Why all th' ornaments, brother?" Frank asked Blaine curiously. "It ain't Christmas."

"Never mind that now," snapped the rancher. "Be still for a moment. Blaine, you consent to go to Judge Ryan's with me and I'll prove to you that Owens has got you blocked. Will you do it?"

"All right," conceded the fruit grower. "I'll go by there with you."

"Good. Now, listen to me, you two peach rustlers. I want you to go to town for me. Get your horses and ride straight to Lebanon. Go in

quietly and make no fuss. And *don't* stop at any of the forty-three saloons on Main Street. You probably wouldn't come back—ever. Go straight down to the freight depot and rout old man Myers out. Find out from him how many cars of peaches Owens actually shipped last week. He'll tell you four, but you tell him that I know better and I want his personal note telling me the truth. Waste no time, see Myers quietly, and remember that this is deadly serious. Meet me at Judge Ryan's home as soon as you succeed. Do you get all this?"

"Yuh're shore whistlin'," said Frank promptly.

"All right. Don't mix with anyone," cautioned the rancher. "Sidestep everybody."

The two punchers started joyously for their horses. They departed in a swirl of dust, leaving the two older men to follow at a more sedate pace.

"Now what d'yuh know 'bout that, Curly?" said Frank. "But, shucks, they ain't no fun goin' to town like this."

"It looks like they's gonna be uh lotta fun later on," rejoined Curly grimly. "Git goin', cowboy."

The two DZX men rode into Lebanon like gray phantoms in the moonlight. Regretfully they passed up the luring lights and merry uproar of the street of many saloons. The sheriff's office was closed and dark.

"I guess Carruthers'll be happier'n uh a cow

with uh first calf when he plants his feet on th' desk in th' new courthouse. I wonder when it'll be finished?"

"Mr. Montague said somethin' 'bout it bein' completed before fall," returned Frank to Curly's comment.

They turned at the foot of the street and dismounted in the shadow of the freight house. They pounded softly but insistently upon the door of the station agent's little room until the old man got grumblingly out of bed and came to investigate the disturbance.

"They ain't no train out tonight if yuh're passengers," he stated wearily in a singsong voice. "They ain't no money in th' express box if yuh're holdup men an' this ain't no roomin' house fer maudlin cowpunchers if yuh're drunk. If yuh wants more information they's forty-three saloons planted 'long th' whole dang street. Yuh can't miss 'em all. Goodnight," and he proceeded to close the half-opened door.

"Wait, Myers, wait," commanded Curly in a hoarse whisper. "Leave th' door open uh minute. Yuh won't catch cold this time uh year. We come to see yuh fer Bill Montague."

"Huh?" exclaimed the station agent.

"Can't we palaver inside?" suggested Frank. "It'd look more hospital fer one thing."

For answer the now wide-awake agent stood aside and beckoned them in. Carefully closing the door behind them, he faced the two punchers

expectantly, his pointed nightcap lending him an elfin appearance as he stood there holding his lantern.

"Yuh say Bill Montague wants me?" queried the old man puzzledly.

"He wants to know somethin' that yuh can tell him," corrected one of the punchers.

The station agent looked interested.

"How many cars of peaches did Owens ship for Henry Blaine?" demanded Curly abruptly.

Myers started slightly and eyed his questioner mildly.

"If I don't fergit, th' bill o' ladin' an' my shippin' record says four cars," he replied cautiously.

"That's right. But Bill Montague wants to know how many cars really was shipped."

The little old man sighed.

"I knew that somethin' would develop outa this mess. But I couldn't help it. I work fer Owens—he got me this job."

"Sure, sure, we understand," soothed Frank. "Yuh're all right, Myers. Now, tell us how many cars was shipped."

"I ain't at liberty to tell yuh boys railroad business," stated Mr. Myers calmly. "Besides which, I don't work at night."

"Th' sonuvagun!" ejaculated Curly. "Don't freeze up none, Myers. C'mon. Yuh had uh good start."

Myers remained silent, staring at the two men

with troubled eyes.

"Wouldn't yuh do it for Bill Montague?" asked Frank reproachfully. "Why, Myers."

"Is it fer Bill hisself?" queried the uneasy old man.

"Yuh betcha, an' yuh know he's gotta good reason for wantin' to know."

The station agent looked around cautiously. Immediately, for the adventurous-minded punchers, things took on a somber note.

"Five cars uh general merchandise was shipped at th' same time," admitted Myers guardedly.

"Aw, shucks," grunted Frank, his rising hopes dashed cruelly to the ground.

"What did them cars uh general merchandise consist of?" prompted Curly, suspicious.

"Half-ripe peaches," whispered the old station agent dramatically. "An' I ain't seen as purty uh lot in some distance."

"Ah!" breathed the two punchers together.

"Owens oughta join Jesse James," commented Frank. "I begin to git th' general idea uh Blaine's harness."

"Write that down on uh piece uh paper," commanded Curly. "Bill Montague is waitin' for it right now."

But Myers balked here. He flatly refused to commit himself to this extent. It was only after repeated urgings that he consented to dress and go with them to see Montague, in person, to make his report.

As crude as the steal was, as palpable a lie as the falsified bill of lading was, the scheme was not as fantastic and childish an affair as one would imagine. In the days of the nineties, before the advent of cold storage houses and refrigerator cars, all perishable green stuffs had to be shipped in an unripe condition and shipped immediately. Owens' villainy was perfectly plain, but his word was as good as Blaine's and the foodstuff in question had already been shipped. Thus, he was able to ride roughshod over the farmer as many of the powerful men of the old West so overrode the rights of others.

Henry Blaine stared at the affidavit which lay on Judge Ryan's table before him. He blinked uncertainly and looked up at the compassionate-faced rancher across from him. His gaze wandered to the face of the little station agent who had made this paper for him. It traveled across the two cowpunchers who stood somewhat back from the table. Finally it came to rest upon the big, red-faced man at the head of the table.

Judge Ryan shook his head pityingly at the pleading expression.

"Sure, me dear Mister Blaine, 'tis as plain as th' nose on yer face. Owens is wan divil of a scoundrel an' this paper proves it, but 'tis wan divil of a job an' it costs money to convict him."

"Then—then, why not let me go after him as I intended, if the law can't touch him?" de-

manded Blaine hoarsely.

"Because it is murder for you to run into him now," said Montague crisply. "He is expecting you and you'll never reach him."

"What do you expect me to do? This ruins me, as it is."

"Take that paper home and lock it up somewhere," directed the rancher. "If you need money, you can get it from me. Don't cash that check either. Wait a few days—a few weeks if necessary, and Owens will tip his hand and we will take up the matter with him. He will be off his guard and we will be able to handle him."

"But——"

"That's th' best ye can do," endorsed Ryan. "We'll trip th' dirty rascal yit. Wait. Wait. Wait. That fools 'em all if ye've th' patience."

Blaine stared stonily before him and then slowly bowed his head to the inevitable.

CHAPTER IX

A PEACH ADJUSTMENT

IT BEGAN to appear as though Montague had been mistaken, for the days sped by and nothing further was heard from Owens. The new courthouse was finished and the scattered officials of the law were drawn together under the one ample roof. Late summer was coming on apace; the ground was dry and a dust haze hung continually over the range where the cattle moved. The vivid green of spring gave way before the darker colors of mature summer, and still Owens did not come.

The water holes were slowly drying up and a number of steers were drowned in the two rivers. There was an increase in the shootings and sporadic outbreaks in Lebanon, but the range country lay comparatively quiet. There was an occasional complaint of rustling, but the greatest cause for uneasiness was the numerous bank robberies in the surrounding little towns. And still Owens did not stir.

The realtor's villainy was not known, as Blaine had quietly accepted a loan from the DZX rancher and had paid his pickers off. Jim Harrison had made one special trip over to the Blaine farm to see Patty. He had told her certain

things, had prated about the codes and ethics of cowland, and had talked particularly of a gentleman's promise and how sacred it was considered. He had concluded by casually mentioning that he was pretty well recovered and he would shortly take up a little personal matter with Jackson, the Chicago gambler. When he concluded his little story Patty proceeded to say several things very distinctly, among which she mentioned that a man who would tie another man up to a promise of that sort was little short of a murderer. Furthermore, any man who tamely submitted to such an arrangement was a timorous character of unbalanced mentality. Last but not least, Mr. Jim Harrison needn't come slipping around for one Jack Montague; he was acting like a boy caught in some misdemeanor. If Jack Montague had anything to say he'd better come and say it himself. And Harrison went home, his ears aflame. And Owens had not moved yet.

But the realtor had been but biding his time. Upon the day that Blaine's patience was holding by a mere thread, he inquired confidentially at the Lebanon National Bank for the fruit grower's balance. His answer, given him by an unscrupulous assistant cashier at sight of an enticing greenback, stirred him into action. He rode out to visit the farmer.

"Horsehead" Owens, so called because of his long, sardonic cast of countenance, was a very reticent being. Speech to him was a severe effort.

He clipped his phrases; he clipped his words. He had so grown into the habit of communing with himself that animated conversation with a second person was utterly impossible for him.

The man was well set up and, for a person of forty years, carried little if any fat upon his bones. He gave the appearance of a slow, uncouth hill billy with his dusty, rumpled trousers shoved into the tops of his ordinary, worn old boots. He was clean-shaven, seamed of face, grizzled of hair. His eyes were hard, a flint-like color, his lips tight and firm, his shoulders and arms as powerful as a young bear's.

He rode well, and in his youth he had been known as a victorious rough and tumble fighter. What he lacked in personality for people who did not like him he made up in silence. And he had gone steadily forward, grasping, acquiring, accumulating. Anything that stood in the path between him and the object of his desires, he calmly but ruthlessly removed. Although many of his deeds bordered on criminality he managed to stay just within the safe side of the law.

Blaine was sitting under a shed before a grindstone sharpening a number of tools when the realtor rode into the farmyard. An inscrutable expression crossed his face as he recognized his visitor. He did not move and Owens rode up to the shed and sat upon his horse, looking down upon the farmer without dismounting.

"Howdy," he grunted amiably.

"Good morning, Mr. Owens," rejoined Blaine, fighting to keep the scowl from his face.

"Thought I'd ride out—inquire 'bout crops. Any cotton?"

"You know very well that I did nothing this year except raise peaches. I didn't have the time or the money to do anything else."

"Need money?" inquired Owens keenly, as though he were unaware of the other's condition.

"Yes," rejoined Blaine shortly. "I do."

"Mebble can arrange second mortgage as I hold first. What say?"

Blaine arose and brushed his hands.

"I don't think I'm interested," he said.

"The interest on your first mortgage falls due the first of the month," reminded Owens gently. "Think I can fix things up."

"Come up to the house," said Blaine grimly. "I'll talk to you."

Seated in the big room at the front of the house Blaine faced his creditor across the table. In the drawer under his hand was the check of the realtor's and the affidavit of the station agent.

Having studied the farmer carefully and seeing no signs of fight over the peach deal, Owens proceeded to calmly table that matter at once.

"Too bad about your peaches," he clipped. "Couldn't help it. Market bad this year—shipping rotten. Better luck next season. Now——"

"There was nothing wrong with my peaches, Owens," disagreed Blaine abruptly. "You sim-

ply stole them from me."

The realtor fell silent. His eyes settled steadily upon the angry glance of the farmer. His fingers twitched slightly as they lay on the table. Had he misjudged this man? If Blaine had intended showing fight he would have done so long ago. He dropped one hand into his lap.

"Terrible statement to holder of your mortgage, Blaine," he hissed. "Want to amend same?"

"No," roared Blaine, jerking open the drawer beneath his hand. "I can prove it."

"You are a liar, Blaine," stated the other calmly. "Keep hands out of drawer. Have you covered?"

Blaine, who had meant to reach for the papers necessary to prove his statement, paused in acute surprise.

"You draw a gun on me—in my own house?"

"You need money," rejoined Owens. "You are desperate. Natural for you to turn to last man dealt with to pry money from. Feared this. Came to help you."

"Doubtless," snarled Blaine in biting sarcasm.

"Did," continued Owens smoothly. "Will cancel first mortgage completely and lend you five thousand. On certain condition."

Blaine wouldn't have been human if he hadn't been curious at the other's proposition.

"What are you driving at?" he demanded inquisitively.

Both men had been so intent, each upon the other, that they failed to hear or see the horseman who rode slowly up to the house.

Jack Montague had come to make his peace with Patty Blaine.

"Bachelor—single man," explained Owens with his economy of words. "Like your daughter. Will marry her. On day she marries me will cancel mortgage and lend you five thousand."

Blaine's jaw sagged in complete surprise. He gasped as he eyed the man before him. That Owens, a man old enough to be Patty's father, should show such a bent, actually staggered the fruit grower.

"Do I understand you to be offering me financial relief in exchange for my daughter's hand?" he managed to utter queerly.

"Right," endorsed Owens, licking his lips lasciviously.

"Suppose she objects to the arrangement?" queried Blaine, choking oddly, bearing slowly on the table before him and gently easing his feet out from under the piece of furniture.

"That's how you earn cancellation of mortgage—handling girl. Come. What's answer?"

"I told you that I had proof to show you are a crook," said Blaine tersely. "I see that I need no proof to prove you are a scoundrel and a vulture as well. My answer is no, you damn rascal," he finished with a shout, springing to his feet and turning toward the old-fashioned mantel above

which hung his rifle.

Owens raised his hand from his lap, a six shooter in his grasp. A scream from a girlish throat came from the doorway leading into the dining room.

"Stop! Blaine, I'll shoot," crisped the realtor.

"Both of you stop where you are," broke in a hard, metallic voice from the hallway behind Owens' back. "Stand still, Blaine. Put down that gun, Owens."

But the fruit grower was too infuriated to care for consequences. He was blinded with rage. He didn't stop to think that he could not reach his gun before the realtor shot him. He didn't reason at all. He only knew that he must shove the muzzle of his rifle into that ugly face and pump until the gun was empty.

Owens didn't have time to turn toward the new voice. Coolly his finger tightened on the trigger. Whoever it was behind him could readily see that it was a matter of self-defense.

A mere gun was not sufficient to quell or control this situation. Jack Montague realized this even as he spoke and he shoved his gun back into its holster and leaped with all of his agility upon the broad back of the real estate man, clutching the revolver arm at the wrist in a grip of iron and wrenching the hand upward.

Owens quivered and staggered against the table at the shock, overturning a vase of roses Patty had brought in from the flower garden.

He strove with all of his great strength to release his imprisoned hand.

Anxious to disarm the man before Blaine could shoot, Jack recklessly released Owens with his other hand and jerked at the gun with both his fists. The weapon discharged twice, powder burns searing Jack's cheek, so close had the weapon been. But he succeeded in jerking it free from Owens' grip, and he tossed it into the fireplace by the side of Blaine just as the enraged realtor dealt him a terrible blow in the chest.

He staggered back, gripped by a mighty pain, and the room swam before him. The figure of the realtor lurched and swayed grotesquely over him and a hairy paw clutched his throat. At that touch his brain cleared with a snap. Without attempting to free his throat from that awful hold, he swung a vicious blow at the elbow joint of Owens' arm and, without releasing the finger hold, the realtor's arm collapsed under the numbing pain that gripped it, unable to longer hold the young man at a distance.

With a wheeze of delight Jack closed with his opponent and lifted him bodily with both arms and whirled quickly, bringing his own back toward the fireplace just as Blaine was raising his rifle.

"Stop! You fools," Jack called out hoarsely, straining away from the realtor, now that he stood between the two enemies.

Owens dropped his numbed arm and Jack half-turned to face and soothe the farmer. The realtor

shifted his feet and swung with all of his power at the lean young jaw before him. The fact that young Montague was turning and withdrawing probably saved him a broken jaw. As it was, the glancing blow snapped his head back and parted the skin along his cheek like paper.

He dropped to his knees, shaking his head dazedly, watching the blood drip to the carpet almost stupidly. Blaine uttered an oath and Jack looked idly up to see the fruit grower again raising his weapon. He saw Patty's white face, strained with fear, gazing at him, almost a flare of color against the darkness of the doorway behind her, pity written large in her features. Out of the tail of his eye he saw Owens diving toward his hip for his gun. Then something snapped in his brain.

This brute, this ugly beast who had hit him from behind, had robbed the father of his rightful money and now sought to lay his filthy hands upon the girl—upon Jack's girl. He had tried to bargain for her like a slave trader in the Orient. The colossal temerity of this fact struck home to the young ranchman and filled him with a shuddering aversion. All of his vague dislike for this grizzled, silent man, who always kept his own counsel, crystallized into a burning hatred and a lust to kill.

With a swift motion he jerked the six shooter from his holster and tossed it in the general direction of Blaine.

"Get it," he commanded as he caught the descending man by the hair with his other hand.

He twisted Owens' head around, the weight of the falling realtor assisting in the maneuver. Deliberately he struck the man full between the eyes even as the clawing hands grabbed him. The realtor groaned under the blow and a knot puffed up quickly, half-closing his aching eyes. His clutching paws ripped the shirt off of the kneeling man, one vicious nail clawing a vivid gash down the other's breast over the heart.

The scarlet line before his crazed eyes brought a gleam of fury into the flint-like orbs of the realtor, and he reached up clawingly at his adversary's face.

The girl screamed again as she understood his fiendish thought, and she ran to her father's side, beseeching him to do something.

But Jack didn't even feel the gash on his exposed chest. He was oblivious to the clawing fingers. By a herculean effort he staggered to his feet, lifting the two-hundred-pound realtor with him. Pushing the clawing maniac back from him he rocked the other cruelly with a blow to the side of the jaw. Owens shook his head like an angry bear.

He was snarling now. He doubled his fists and for a brief moment they stood breast to breast slugging each other. Not possessing the moral stamina, Owens was the first to wince under the torture, and he clinched the wiry form before

him in a bear-like hug.

Down they went, rolling all over the floor, the young rancher slugging away in a cold fury that the other's strength could not check. The heavy realtor could not hold the bundle of steel which writhed in his arms. A sudden fear clutched his heart that he could not subdue this wildcat.

He broke away and scrambled to his feet. Jack was up before him and met him with another blow between the eyes. Owens cried out and bore in blindly, arms swinging like flails.

Stepping back a few inches, the flaming-eyed young rancher gaged his distance and stepped forward with a blow to Owens' chin that carried all of his strength and all of his weight behind it. The smack of the blow was like a pistol shot and the realtor halted in mid-stride. Then he seemed to turn a quick flip backwards, and Blaine could have sworn that his head hit the floor first.

Jack's arm flopped uselessly at his side. He had broken one of the bones in his wrist. He threw back his head and laughed exultantly, a wild laugh of new-found strength and driving force, a laugh that made the watching pair shiver in apprehension. Blaine had heard beasts of prey make noises in the same kind of voice, especially that puma that had killed a prize calf for him years ago.

Patty ran to the wild-eyed young man's side, beating against his naked chest with her clenched hands.

“Stop that,” she cried firmly. “Stop that horrible sound, Jack Montague. Do you hear me? Stop!”

With his good arm he caught hold of her two wrists and held her off, eyeing her strangely, looking as though he had never seen her before. The fire in his gaze frightened her, stirred depths within her soul that startled her. She shrank back. Then he pulled her effortlessly up against him and encircled her with that muscular arm. Almost savagely he leaned down and bruised her lips with his kiss.

She quivered under his rough caress and then some hidden fire burst into flame and she thrilled to his embrace, giving him back kiss for kiss. For a long moment they stood thus, in close embrace.

Gradually the turmoil in Jack's heart quieted and his breath began to come in less labored sobs. His face assumed its normal aspect except for a shining glint to his eyes, which had never been there before.

“Girl,” he cried. “I love you. I love you, do you hear? You are mine. I've put my brand on you. Do you understand?”

“Yes,” she nodded. “And you are mine, too,” she whispered fiercely. “Do *you* understand?”

He smiled in boyish acknowledgment.

“And you've got to stay out of trouble with that Jackson,” she declared firmly. “He is a gunman and he might kill you.”

“Well, I'll be damned!” uttered the fruit

grower. "Isn't that a woman for you."

The man on the floor groaned slightly. Jack released himself from the girl and stumbled wearily over to the realtor's side.

"Water," he commanded thickly, the aftermath of the fight beginning to pull down on his own nerve centers.

At the tone of his voice, Patty flew to the kitchen and returned with a bucket of cold, clear water which Jack took from her.

"Shame to waste it," he grunted as he dashed it, dipper by dipper, roughly into the unconscious man's face.

"Whiskey," he called as Owens' eyelids fluttered.

Blaine complied with a quart bottle and a glass.

Rudely prying the realtor's clenched teeth apart with his knife, the resuscitator poured a stiff jolt of the fiery liquid down the man's throat.

Owens' heels drew up violently. He rolled over and groaned.

"The affidavit and his own check," commanded Jack. "I'll have him sitting up in just a minute."

Thus, when Owens struggled his painful way back to consciousness, half-blindness and a splitting headache, he found himself propped in a chair at the table, his own wallet between his fingers. He stared bewilderedly down at his blood-stained fingers. Then memory came flooding back and he looked quickly up—into the black mouth of a .45 backed up by a smeared,

grinning face with twin devils for eyes, a face that he had difficulty in placing as young Montague's.

"We find that you came prepared to talk money right now," stated the young rancher slowly and distinctly. "That is fine and saves us the trouble of bothering with checks. Direct your befuddled gaze to the crisp, legal document before you. It is an affidavit to the effect that you shipped nine carloads of extra fine peaches in place of four loads of culls. Read it if you care to."

Owens' eyes flicked toward the ceiling.

"All right, don't read it then. Open your wallet and count out twelve thousand, five hundred dollars in cash. Mr. Blaine will return to you your twenty-five hundred dollar check and fake bill of lading that lays before you also. This will still allow you more than you deserve as a commission. Get busy."

Owens did not move. He merely brought his eyes to bear on the speaker.

"This is blackmail — robbery," he finally mumbled thickly.

"Read the affidavit," advised Jack in an ominously patient voice.

The realtor did so. Then he wordlessly opened his wallet and counted out the correct amount demanded. His head ached and he was deathly sick at the stomach. Hardly able to see he started to gather up the papers before him.

"Leave the affidavit," drawled the hateful voice. "You don't need it."

"This is a hold-up," forced out Owens. "You keep this money and I'll have a warrant out for you in an hour. Will make this most expensive robbery you ever perpetrated. Will not forget this."

"You'd better not," declared Jack cheerfully. "And you will have no warrant out for any one of us—ever. You make one more crooked move like this and you will be through in Lebanon. I'll see to that for you. And speaking of hold-ups, you'd better have Carruthers spend a little time on this gang of ruffians who are doing a little rustling and a lot of bank robbing if he wants to hold his job."

Owens swayed to his feet, his face an inscrutable mask for the emotions that stirred him. He didn't glance at the fruit grower who was calmly counting the pile of greenbacks on the table. One burning glance he bestowed on the girl and then he stumbled to the door.

Young Montague's gun held the center of his back unwaveringly until he passed out of sight. Then a wave of dizziness swept over the victor and he lurched across the table in a dead faint.

CHAPTER X

MURDER!

THAT the warning of Jack Montague seemed to have its effect upon the Owens administration was noticeable in the fact that the Blaines were unmolested and a series of placards were tacked upon fences, barns, and signposts throughout the county by early fall.

The depredations of the bank robbers had grown in volume and cattle rustling now became a main issue as the steers began to put on their winter fat and become more valuable on the hoof.

REWARD

\$1,000 reward for the capture of the desperado who calls himself *Nightbird* or for information leading to his apprehension.

Signed: CARRUTHERS, SHERIFF,
NEW COURT HOUSE.

Two citizens of Lebanon turned from their perusal of the poster tacked at eye level on the side of the building before them and walked toward the foot of Main Street and toward the freight depot.

It was morning — early morning, and the damp mistiness of a heavy fog hung in the autumnal atmosphere, billowing out from the river and set-

tling in a vast cloud over the sleeping Mecca of hard drinking men. Despite its general southeasterly direction, at the point where Lebanon had been founded and had finally decided to continue to exist the river ran north and south. Thus the railroad, paralleling the river, crossed the east foot of the town at the lower end of the main street.

The two men stepped upon the platform of the depot and found the freight house and ticket office closed. Impatiently they tried the door of the room which the railway company had fitted up for the housing of their local representative.

"C'mon, Myers," shouted one. "Slide outa th' covers an' open th' freight house. It's after seven o'clock. 'Smatter with yuh?"

"I never knowed th' old man to be so late," suggested the other. "Mebbe he's already up an' gone over to th' Greasy Spoon for chow, Hal."

"Mebbe. He's allus open by seven, though. Here I gotta git some stuff uh th' old woman's orderin' an' that's th' very time he don't open up prompt. Hi! Myers!"

"Shall we wait fer him?"

"Guess we'll have to. Mebbe he's been out ridin' with Nightbird an' ain't got in yet."

They both guffawed at the suggestion of the mild little station agent being out with a gang of desperadoes. The second man stepped to the window and shaded his eyes a bit as he stared into the room.

"It's purty dark," he muttered. "Don't see nothin' shore enough. They ain't no use waitin'. I bet he's over to th' eatin' hou—— My Gawd! My Gawd, Hal!"

At his awed tone of voice, the man called Hal jumped forward and joined his companion at the window. He stared until his eyes became accustomed to the gloom and then he saw.

Myers, the station agent, lay stretched out on the floor on his back, still in his nightshirt, a surprised, hurt expression upon his querulous old face. His arms were outflung and a congealing, darkening little puddle heavily outlined one side of his torso and traced the curvature of the arm. The heavy iron safe in the far corner was open and the money drawers were hanging half out of their compartments, eloquently empty.

With one accord the two men smashed the window pane and unlocked the sash. They clambered quickly into the room and knelt over the pathetic little figure on the floor.

"Deader'n a doornail," stated Hal succinctly. "Pore ole Myers."

"They sure looted th' express company's safe," commented the other. "One of us is gotta stay here an' th' other better git th' sheriff an' th' constable."

"I'll go, Zeke," exclaimed Hal quickly. "Don't let nobody in 'til we git back."

Hal rose to his feet and sprang to the door. Even as he turned the knob he remembered that

it was locked. He felt for the key. It was missing. He faced his companion and their eyes met in speculation.

"It musta been somebody Myers knowed. Anyway, they got him to let 'em in. Winder locked on th' inside—door locked from th' outside an' th' key missin'."

Zeke nodded in agreement and Hal ran to the window. Vaulting through, he nearly lit upon a skulking figure that was surprised by his sudden move. Startled though he himself was, Hal clutched at the newcomer with both hands and fell heavily with the stranger to the platform. At his companion's startled cry, Zeke ran to the aperture and leaped out, narrowly missing the sprawled pair.

"Who in hell are yuh?" grunted Hal to his captive.

"The underdog at present," wheezed the prisoner. "Get up, brother, and let's take stock."

The stranger proved to be a fairly young man, dark of hair and eyes, of pleasing and alert countenance but dirty, ragged and begrimed from indulging in the railroad tramp's means of transportation—"riding the rods."

"Where'd yuh come from?" growled Zeke suspiciously.

"I was kicked off a freight train last night by an irate brakeman," explained the captive pleasantly. "My name is McQuirey, unmarried, age twenty-nine, height five feet nine inches, weight

one hundred and sixty-two pounds. I'm broke, out of a job and hungry. What did you say is your name?"

"Humph!" snorted Hal. "How d'yuh happen to be hangin' round here?"

"Ah, my dear friend, I have just answered that question," replied McQuirey easily. "Really, I forestalled you there."

"Yuh was peerin' in th' winder an' yuh wasn't makin' no big amount uh noise," accused Zeke. "Can yuh explain that?"

"I must protest. This isn't fair," objected McQuirey. "You are showering me with questions. I can't slip a query in edgeways. Why not answer a few things for me? Who is the dead man in there?"

"Howdcha know he's dead?" demanded Hal quickly.

"There you go again," remonstrated the tramp with a gesture of impatience. "Now try and get this, do. I know that he is dead because I heard one of you say so. Also, his name is Myers and the express company's safe has been robbed. Further than this, one of you answers to the name of Zeke and has an annoying habit of sucking his breath through his teeth. Now, can you do a little talking without sticking question marks at the end of every thing you say? You have no idea how monotonous that becomes. Tell me, just who was Myers? The express agent?"

"He was," flung Zeke, grudgingly. "An' th'

station agent, too. He lived here in this room at th' station. Hal, hunt up th' sheriff. I'll entertain our li'l visitor 'til yuh come back."

As Hal started toward Main Street on a run, Zeke produced an efficient looking six-shooter and poked it menacingly into McQuirey's ribs.

"Climb in th' room right keerful, yuh with th' wabby jaw," he commanded. "My trigger finger shore is itchy."

"I observe that my personal observation got under the skin," smiled the tramp winningly. "I withdraw the dentistry comment. You are one of the most persuasive men I ever met. I simply can't refuse you."

He obediently climbed into the room and stood very quietly while awaiting the return of the second man. But his eyes began with the body of the murdered man on the floor and took in every detail of the littered quarters of the old station agent.

Hal shortly returned with no less a personage than Sheriff Carruthers himself. The two men clambered in through the window and the pilose individual glared about fiercely. McQuirey stared aghast at the luxurious growth of whiskers the sheriff boasted.

"Dead?" asked Carruthers.

Zeke nodded in confirmation.

"D'yuh touch anything?"

"Nope. Nothin'. Hal went fer yuh right away."

"Kee—rect," approved the sheriff, stroking his beard with a military snap and precision. "Who's this?"

"Sez his name is McQuirey. We caught him lookin' in th' winder."

"Uh huh," intoned Sheriff Carruthers very wisely. "Where'd yuh come from, young feller?" he asked uglily.

"Nowhere in particular, Mister," McQuirey spoke respectfully. "I was merely traveling for my health and I missed connections with my train here last night."

"Sheriff, not Mister," snapped Carruthers. "What time last night?"

The tramp's eyes widened a trifle and then narrowed at the other's tone.

"It was that freight train," he drawled. "I don't know the exact time as I had given my platinum watch to the engineer. He needed it, I'll assure you. I'll bet he wasn't more than a week behind time."

"Huuuummmm," mumbled the sheriff in his beard, giving the begrimed figure before him a searching look. "'Bout ten o'clock I reckon. Search him, Zeke."

The traveler proved to be the possessor of two safety pins—one of them in use, one black button which belonged where the pin was now working, a few dirty looking matches, a soiled bandana and half a sack of smoking tobacco. He was destitute of coin, papers or weapon.

"Be very careful of my tobacco case, please," cautioned McQuirey anxiously. "I have no more of my specially prepared blend at hand. By the way, I wouldn't mind having a smoke. Have one of you gentlemen a cigarette paper? I used my very last one to clean my diamond stud. How utterly thoughtless of me."

"Don't git so funny," advised Hal grimly. "This here's uh case uh murder an' it looks bad fer yuh."

"You can't be serious," rejoined the tramp, surprised. "How can I be implicated? I have no weapon and if I knew anything about this matter, do you think I'd be hanging around here?"

"Kee—rect," agreed the frowning sheriff sagely, making a neat slide with his hand upon his hairy appendage. He quickly grasped the logic of the vagabond's reasoning. "He ain't got no knife on him an' his pockets don't show no sag or wear that uh knife 'ud make."

"Knife?" asked Zeke and Hal together.

"Yep, knife. Myers was stabbed to death with uh knife."

"How do you know that?" demanded McQuirey keenly. "You haven't looked the body over."

A peculiar gleam came into the sheriff's eyes as he glanced quickly at the ragged questioner. He twisted his beard into a veritable Gordian knot before he replied. Then:

"Yuh don't see no bullet holes, do yuh? Didja

ever see that much blood from uh pistol shoot? Besides, uh shot 'ud of been heard. Turn him over, Hal. I betcha they's uh knife wound in his back. See there — that slit in his nightshirt under his left shoulder blade? What did I tell yuh?" he concluded triumphantly.

"Gosh!" exclaimed the awestruck Hal. "It looks like it was uh pocket knife, too."

"You win, Mister Sheriff," agreed McQuirey admiringly. "Aren't you the cute little trick? I have no doubt you have already deduced that it was a complete surprise attack, judging from the look of startled amazement on the murdered man's face and the absence of any appearance of a struggle."

"Kee — rect," agreed Carruthers promptly, polishing his whiskers briskly.

"Further than that," went on McQuirey, "I'll venture to say that you have already surmised that the murderer was someone Myers knew pretty well — or thought he knew, because the safe has been opened by one who knew the combination. You can see very readily that it was not blown open. Evidently Myers opened the safe himself for his slayer, and received a knife-thrust in the back for his pains. Now, why would or should Mr. Myers open the express safe after office hours? Somebody deceived the poor old man. All right. How? By having a dummy package of some kind in the safe. He came to the old man in the night, with his legal receipt for his

package, told how urgent it was for him to get the package and prevailed on the old man to break a rule and open the safe. Therefore it was someone Myers knew well enough to trust. Either that, or a messenger from the owner of the package, a messenger with written authority asking Myers to let the package go. The thing to do is to make a list of all packages received the past ten days and trace each and every one of them down. Isn't that just what you've mapped out as a basis to work from, Sheriff?"

"Kee—kee—rect," stammered Carruthers, almost missing his customary beard stroke. The keen mind of the other and his clever analysis were carrying the worthy sheriff slightly beyond his depth. Then, too, this fellow seemed awfully smart for a mere hobo.

The two men, Zeke and Hal, uttered exclamations of wonder as the likeliness of the tramp's suggestions appealed to them. They granted him a tithe more of respect and this was not lost on the frowning Carruthers.

"Humph!" he grunted. "Yuh're purty quick at followin' my idees, young feller. Yuh're kinda smart. That'll do fer yuh. I reckon I'll be holdin' yuh for further investigation."

"That was uh good idee, Sheriff," spoke up Hal. "Let's look through th' safe. They mighta left somethin'." And he turned to suit the action to the words.

"Hey!" yelled the sheriff. "Don't yuh touch

nothin'. I'll do th' lookin' when I git back, an' I'll look good an' plenty too. In th' name uh th' law I 'points both yuh boys as deputies to stay here an' let nobody in 'til I git back. C'mon, young feller, we better mosey on up to th' courthouse an' then over to th' jail fer uh spell."

"Well, I'll be damned," ejaculated McQuirey, his eyes widening in hurt surprise. "That's gratitude for you."

"What d'yuh mean?" growled Carruthers suspiciously.

"Oh, nothing. You wouldn't understand. Come on. Let's go. If I must be received by a gaily caparisoned committee I had just as soon register at the city hotel as any other. It won't be the first time we've been in jail, eh, Lord Hairy?"

"Brrrr—grrrrff," rejoined Carruthers angrily through his pilose thatch.

CHAPTER XI

A BONDED VAGABOND

COURT was in session in the new two-storied municipal and county building and Judge Ryan was on the bench. Judge Michael Ryan was originally a product of the "auld sod" but he had been transplanted at a very tender age and had taken root and thrived in the fertile valleys and sagebrush-covered plains of the western United States. Somehow he had wandered into Lebanon when the town was in its infancy and he had remained. Whether he had foreseen the future of the place or whether the idea of one saloon to each of the other business enterprises appealed, it is hard to say.

The judge was a massive man, heavy and red of feature, clean shaven and with a thatch of fiery hair in which the silver was beginning to show. His knowledge of law did not embrace memory quotations from Blackstone or from the various statutes; rather, it was crude but effective. He had a fair grounding in legality and a fair sense of humor. Thus, he tempered law with justice, which was fortunate for all culprits as he was the supreme legal authority in Lebanon.

This morning he was in rather a touchy mood. His coffee had been cold, his pipe clogged up and

the docket of the city court was filled with irritating liquor charges.

"Next case," he called irascibly, striking his battered, high desk with his gavel and dexterously shooting a stream of his favorite "chewin' an' spittin'" at the court cuspidor for a bull's-eye.

"Owens' Bright Star accused of sellin' whiskey on Sunday," droned the melancholy-faced clerk at his side.

"Horsehead Owens," snapped the judge. "Ye're charged wid sellin' booze on th' Sabbath. I've warned ye onct before. Guilty or not guilty?"

"Not guilty, your honor," clipped the angry realtor, arising from a front seat and folding his arms. "Want these fool constables to——"

"What's that?" the judge gurgled.

"Said 'Not guilty.' Want fool consta——"

"Court's adjourned," interrupted Judge Ryan, an ominous frown gathering upon his brow. "Horsehead, ye're a domn liar by th' clock. I've bought it from ye meself. Court's in session. Mister Owens, due to sub rosa evidence which cannot be ignored th' court finds ye guilty. Fine, fifty dollars. An' ye want to stop that Sunday business. Pay th' clerk here an' shut up. Next case."

"John Doe," read the clerk. "Charged with the three D's."

"John Doe," rapped out the judge. "Th' last time I saw yer name 'twas on a promissory

note. Let's have a peep at yer face."

A bleary looking figure arose and eyed the man with the gavel, doubtfully.

"Ah ha! John Doe! Sure an' if I'm not mistaken ye was here last week under an alias. 'Twas Harry Taylor I believe. Ye're charged wid th' same offence too—dirty, drunk an' disorderly. My, my, what a queer coincidence. What have ye to say?"

"Not guilty, please your honor," quavered the drunkard.

"'Twas th' same original excuse ye had last week. Ain't ye proud o' yer strikin' pleas?" said the judge sarcastically. "Fine, ten dollars. An' next week it'll be ten days in th' jug, mind ye. Next."

"Tim Kelly," droned the clerk. "Charged with wife beatin' an' disturbin' th' peace."

"Who prefers th' charge?" inquired Ryan in the manner of one going through an accustomed ritual.

"Mrs. Tim Kelly," replied the bored clerk.

Ryan looked inquiringly down at a wizened, under-sized man who stared back belligerently out of a pair of beautifully blackened eyes. The judge's own twinkled.

"Tim," he said reprovingly, "ye're charged wid disturbin' th' peace by beatin' up that poor little two hundred pound wife o' yers. Guilty or not guilty?"

"Oi guiss Oi'm guilty, yer honor," responded

the culprit with an air of unrepentance. "Sure an' Oi knocked th' breath from th' auld gal afore she laid me out this toime."

There was a roar of approval at the little Irishman's statement, for the whole of Lebanon was interested in the matrimonial venture of fiery little Tim Kelly and his equally fiery and dominant spouse who, it was said, had married Tim when he was considerably under the influence of one Bacchus.

"Is Mrs. Kelly present?" inquired the judge. "No? Th' case is dismissed. Ye're improvin,' Tim," he chuckled. "Here's a dollar. Go out an' take a big wan on me. Next."

"Steve Bleeker, cowpuncher. Three D's," intoned the clerk.

The judge singled out the victim and spoke.

"All right, Steve. Stand up an' make yer little speech."

"I guess I'm guilty, yore honor," grinned a lanky puncher, having noted the efficacy of Tim Kelly's plea and deciding to try the same racket.

"Ye're domn whistlin' ye're guilty," snapped Ryan, and the cowboy's grin faded into a foolish smile. "I saw ye last night when ye was gettin' all tuned up. Fine, five dollars. An' listen to me onct, Steve Bleeker. Ye b'ys'll have to start usin' blank ca'tridges if ye can't stay sober. Next."

Suddenly there was a commotion at the door. An over-mellow voice was querulously arguing and pleading eloquently with some inexorable

executioner of the law.

"Silence! Order! Silence!" roared the judge fiercely. "What brings ye off th' strates, Pink Sills?"

"Please, yore honor," the constable replied, "this drunk insisted on throwin' his hat out in th' mud on Main Street an' then rollin' off th' sidewalk after it. He looks uh fright an' he smells worse."

"Halt!" thundered Ryan in genuine alarm. "Don't ye dare bring anything th' likes o' that into this clane, dacent courtroom. Have ye no respect for th' law? We'll try th' prisoner in th' strate."

He rose and strode to the door. He looked scornfully at the bedraggled but highly dignified and insulted wreck in the grip of the constable.

"Yuh—hic—know, shudge, uh rollin' stone gashers no—hic—no moss," wagged the inebriated one, wisely. "'Sfact. 'Swhat I tried—hic—to——"

"But ye've accumulated plenty o' soil," interrupted the judge bitingly. "So ye're guilty o' bein' drunk an' rapidly gettin' dirty an' disorderly, ye spalpeen? Shut up. Don't interrupt th' judge. What d'ye mean by tryin' to swim in thot domned cesspool they call Main Street? I fine meself ten dollars for disrespect to our fair city. Fine remitted. I say, what d'ye mean? Niver mind yer explanation. That bit o' festive sportin' will be costin' ye ten dollars, me lad, an' they won't be

no remittin'. Throw him in a horse-trough, Pink. 'Twill clane him an' sober him at wan an' th' same time. Nex—What th' hill's broke loose now? Here comes th' sheriff wid a prisoner. What's wrong, sheriff?"

"Lots," stated the newly arrived Carruthers quickly. "Myers has been killed an' th' safe robbed. This here feller was hangin' round an' he was purty slick with his tongue so I brung him in fer investigation."

"Myers has been killed?" exclaimed the judge. "Th' station agent? Silence in th' courtroom, ye loafers," he roared at the noisy crowd. "Go on an' talk, Carruthers. I'm listenin'."

Ryan studied the prisoner attentively while the sheriff quickly gave in his hastily acquired evidence.

"An' what have ye to offer, young man?" the judge asked gravely after the officer concluded.

"Nothing of interest," smiled McQuirey. "I am not guilty, your honor."

"Uumm—perhaps not. That's all I've been hearin' all mornin'. However ye can readily see that it looks black enough for ye at present. I'm thinkin' we'll be havin' to lock ye up until there is further developments in th' matter."

"Kee—rect," endorsed Carruthers, making his beard crackle with electricity by the speed of his stroking hand. "Let's go over to th' jail, young feller. I gotta git back to th' station."

"Your honor," said the prisoner appealingly,

"May I not stay in your court under guard until the sheriff returns? I assure you that I am innocent and I am certain that he will find something to prove it. Why, even the sheriff thinks I am guiltless if he will but admit it."

But Carruthers twisted his beard into a point and tickled the palm of one hand with it non-committally.

"What's yer name again?" queried Ryan not unkindly.

"McQuirey, sir. Joseph McQuirey, a homeless cowboy who needs a job."

"McQuirey, eh? Another wan o' them French names. Well, I like yer looks, McQuirey—that is, what I can see o' ye. Run along, Sheriff, an' continue yer investigation. Ye'll see Pink Sills out by th' horse-trough. Send him in to guard th' prisoner. Next."

The docket was finally cleared and the regular habitués of the morning courts were unwillingly dragging themselves away when the sheriff returned. At the look of triumphant satisfaction upon the visible portion of his face, the loafers made as if to stay.

"Be off wid ye," waved Ryan. "Pink, clear th' room an' ye may return to yer duty on th' strates. McQuirey, come into me office in th' adjournin' room. Now what, Sheriff?"

Carruthers very dramatically placed a parcel drawn from his pocket upon the table and unwrapped it. A blood-stained handkerchief was

exposed to view. Slowly he unfolded it before the interested eyes of Ryan and McQuirey. An open knife, stained with blood, of long and keen blade of the type known as a "crabapple switch" lay before them. Cut in the stag handle were the two initials "J. M."

"I found this here knife in one uh th' empty drawers in th' safe," stated the sheriff. "Th' murderer must of left it in his hurry. Now who 'round Lebanon knowed Myers well enough to git in an' that carried uh knife like this?"

"Have ye any idea yeself?" demanded Ryan bluntly.

The sheriff smiled affirmatively.

"Then you followed up the idea of a dummy package in the safe?" put in McQuirey quickly.

Carruthers turned on his questioner, a wolf-like expression in his face.

"Yes, I did," he snarled. "It wasted uh good half hour uh my time. They wasn't nothin' there. Th' murderer jes' knowed Myers well enough to git in 'thout no excuse. That's all they is to it an' yuh'll do well to keep yore trap closed."

"Ye Gods!" McQuirey flung up his hands in a tragic gesture of despair. "Bungled in the first inning."

Carruthers' angry retort was prevented by the opening of the door. An ordinary looking man with pale blue eyes entered, closing the door behind him. A deputy's star was pinned to his suspenders.

"Mornin', Judge. Mornin', Sheriff," he murmured. "I jes' got in from lookin' over th' bank at Weston. Nightbird agin. What's all this 'bout murderin' th' station agent?"

"Kee—rect," nodded the sheriff. "I left word for yuh to run down an' take charge at th' depot as soon as yuh come in. Lemme tell yuh 'bout it, Higgs, an' then yuh better run along."

Rapidly the sheriff outlined matters to his deputy and brought his story up to the discovery of the knife. Higgs' eyes bulged and he stared from the tramp back to the knife. Suddenly a flash of recollection entered his pale eyes and he emitted a long soft whistle, elevating his eyebrows knowingly.

"By gosh, I seen uh knife—that very knife in Jack Montague's possession last week," he stated. "He was standin' in front uh th' bank an' was cuttin' uh piece uh plug tobaccy offa one puncher's plug fer another one."

"Kee—rect," endorsed Carruthers, fairly jerking his beard out perpendicular to his body. "J. M. Jack Montague. An' I seen th' same knife in th' possession of th' same party in my office not three months ago."

"Kee—nawthin'," snorted the irate but suddenly apprehensive judge. "That's plumb ridiculous. Where's yer motive? Jack's a rich young man. Don't be makin' an ass o' yerself, Carruthers."

"I ain't right sure 'bout uh motive," the sheriff

shook his head stubbornly, "but I know this here is young Montague's knife. So I gotta do my duty, Jedge," he concluded heavily.

Judge Ryan cocked his head at the officer like an inquisitive bull. "Hill's bills, how zealous ye've become overnight. Ye better be watchin' yer tracks, me b'y. Old man Montague ain't wan to be trifled wid. An' young Jack is kinda uh complete box o' tricks himself. If ye want somethin' easy, go out an' find this here raidin' Nightbird."

"Anyhow, I guess this acquits me," suggested McQuirey gently. "Do you mind if I withdraw? I haven't had any breakfast and it's nearly noon."

"I guess yuh can go," said Carruthers grudgingly.

"Hill's bills," the judge roared. "Acquits ye? Wid yer name Joe McQuirey—wid yer initials J. M.—wid ye hangin' 'round th' station? I reckon not, me laddie buck. Into th' jug wid ye. What's th' matter wid ye, Carruthers?"

"Kee—rect, kee—rect," saluted the sheriff in some confusion, and the smile he turned on the luckless vagabond was filled with impish delight. "Yuh first, Silence, an' then fer young Montague."

"Judge Ryan," wailed the newly named McQuirey. "You are not going to let Santa Claus lock me up in the cold, damp and unsympathetic jail with no recourse whatever, are you? Oh Lord—my gosh—is there no help for a boot-

legger's son? Surely this is not justice."

Judge Ryan eyed the suspect queerly. Despite his resolution to protect Jack Montague whom he was sure was innocent, he forced himself to consider the case of the homeless tramp. The man, in all probability, was innocent. But the matter looked very bad. McQuirey's was an unenviable position.

"Well," stated his honor, "due to lack of sufficient damning evidence an' incriminatin' witnesses I fix th' bond o' Joseph McQuirey at—ten thousand dollars. Sure, an' that's as fair as I can be, me b'y. Ye'd be doin' th' same thing under th' circumstances, so don't be eyein' me so reproachfully. Lock him up, Higgs. Feed him an' let him see anywan he wants for a bondsman."

"I suppose you are right," murmured McQuirey almost wearily. "I am at your service, Mr. Higgs."

The afternoon shadows were lengthening when a gaunt, tanned stranger carrying a battered, sawed-off but highly effective looking shotgun tucked under his arm rode up to the courthouse and sought out the sheriff's office.

Carruthers was out but Deputy Sheriff Higgs laid aside a well-thumbed volume entitled "How to Detect" and looked calmly and condescendingly upon the rawboned visitor.

"Howdy," said the stranger pleasantly. "Are yuh th' sheriff?"

"Nope. Deputy. What's eatin' yuh?"

"Where is th' sheriff hisself?" mildly inquired the newcomer.

"Out."

"Do yuh entertain any idea as to when he'll prob'bly come back?"

"Nope. Won't I do?"

"Yuh will. Can't wait," jerked the stranger, purposely imitating the abrupt speech of the deputy. "Yuh've uh prisoner—McQuirey by name—suspected uh murder?"

"We has," admitted the deputy, frowning in a most legal manner and fixing his visitor with an inquisitive stare.

"His bond is set at ten thousand dollars?" pursued the stranger calmly.

"She is," informed the officer precisely.

"Cash?"

"Uh huh," agreed Higgs, yawning boredly, as though ten thousand was a very trifling sum to force him to consider.

"Waal, I've come to put up th' money," stated the stranger casually and he drew a great roll of bills from his pocket.

Deputy Higgs' yawn ended so abruptly that he bit his tongue. With popping eyes he watched the lean hands begin to count out fifty-dollar bills onto the table.

"Wait uh minute—wait uh *minute*," gasped the staggered deputy as soon as he recovered his voice.

"What's th' matter?" asked the surprised stranger. "These here bills is good."

"Nothin' like this ever happened to me before," admitted the deputy frankly. "I dunno what to do."

"Yuh ain't got no choice," rejoined the gaunt stranger coldly. "I puts up th' required bond an' yuh turn McQuirey loose—right now."

"But—but I dunno how," wailed Mister Higgs. "Hol' on while I git th' jedge."

He bolted for the door opening upon the corridor and the stranger sat down stoically, his gun across his lap, leaving the pile of greenbacks upon the table before him.

Judge Ryan proved to be as surprised as the astounded deputy but he proceeded to arrange matters satisfactorily.

"Yer name an' address, please?" he demanded as he prepared to give receipt for the bond.

"Jed Martin. Jes' put down general delivery at Lebanon. I jes' come from beyond th' Canadian th' other day. I ain't got no permanent address yit. Reckon I will have though 'cause I'm figurin' on stayin' quite uh spell."

Judge Ryan wrote steadily. "I see. Now, there has been no date set for this murder case an' so ye better keep in touch wid me, Mister Martin, an' so had McQuirey. Ye ever been in these parts before?"

"Naw, sir," rejoined the stranger.

"Ye are a relation o' th' accused?"

"No relation," returned Martin noncommittally. "I can depend on yuh turnin' McQuirey loose right now, can I?"

"Ye can take him wid ye," replied the disgruntled judge shortly as he offered Martin the receipt. "Higgs, go an' bring in McQuirey. Ye can leave together, Mister Martin."

"'Tain't necessary," rejoined the bondsman serenely. "I'll be goin' now. Evenin'."

"But—but don't ye want to see yer friend again?"

"Nope. 'Tain't necessary. Evenin'. An' thanks."

Wordlessly the judge waved Deputy Higgs after the released McQuirey as he watched the lanky form of Martin stride away, tenderly nursing his battered old gun.

When the vagabond stood before him, he studied the still begrimed figure for a full moment before he spoke. He scratched his head reflectively and squinted one speculative eye at the tramp.

"Sure an' I don't understand all I know about ye, me b'y," he finally grunted. "Ye are wan divil of a fast worker. How did ye talk thot lanky mountaineer out of sufficient money to bond ye in cash?"

"I beg your pardon?" murmured McQuirey politely.

"Ye heard me," returned the judge heavily. "I was just wonderin' where yer friend Martin raised

th' necessary coin to bond ye."

"I have no friend by the name of Martin," was the surprising answer of the tramp.

"D'ye mean to be standin' here before me an' sayin' that ye don't know who bonded ye?" thundered the judge.

"I haven't seen a soul but the jailer since you detained me this morning—and I observed that he needed a bath worse than I do. I don't know a single person in Lebanon—or a married one either. I haven't the slightest idea what you are talking about although I gather that I have been bonded. Is this true?"

The judge was beyond coherent speech. He could only point to the pile of greenbacks which still adorned the table.

"Fine," said McQuirey briskly. "I always knew I was worth ten thousand dollars but I never knew there lived another person who agreed with me on this point. I take it that I am now free from durance vile. Let me thank you for your various courtesies, gentlemen. Perhaps you can tell me if any ranch around here needs an expert cowhand for the fall round-up? No? Very well, I will make a personal investigation. I'll give you my address as soon as I locate, Judge. Good afternoon. Give my regrets to Santa Claus."

"Now what th' hill d'ye know about that?" choked Judge Ryan as soon as speech was restored to him. Almost angrily he watched the slender form of the erstwhile prisoner stroll as noncha-

lantly down the street as though his dirty rags had been velvet and silk.

"A man puts up ten thousand dollars cash for a single tramp," continued the old Irishman. "He rides away wid out seein' th' man he's bondin', not even onct. An' th' prisoner denies all acquaintance wid his bondsman an' takes it just as calmly as a two-finger drink. Now what th' hill does a body know about this?"

But Mister Higgs could offer no solution to the perplexity.

Sheriff Carruthers came in and mopped his brow with a sweaty handkerchief.

"It's gonna rain again," he offered by way of conversation. "When it gits as close an' sultry——"

He broke off as he caught sight of the currency on the table.

"My gosh!" he gasped. "Who done robbed who, now?"

"Did ye go out after Jack Montague?" inquired Judge Ryan ominously.

"Not yit. I dunno what to do 'bout that," muttered Carruthers uneasily. "But where'd this money come from?"

They acquainted him with the details. The sheriff clutched his beard and worried it fiercely. Twice he had Higgs describe the bondsman while Ryan mused to himself.

"Jed Martin—general delivery—Canadian River—ten thousand dollars—Jed Martin—

Jed, Jed," muttered the judge. "Jed Martin. J. M.—Bejabbers!" he shouted aloud so suddenly that the sheriff and his deputy jumped.

"Listen onct," commanded the legal authority earnestly. "This matter is gettin' more serious than ye b'ys realize. Carruthers, why should a stranger bond a stranger wid out a good reason? An' consider this bondsman's name, would ye. Jed Martin. There's yer J. M. again. Now what d'ye make o' that?"

"Yuh oughta grabbed him," growled Carruthers viciously.

"Grabbed him?" snorted the judge. "An' upon what grounds, me b'y? Just because his initials are J. M. To be truthful I didn't notice that. But I couldn't refuse to take his money an' let that McQuirey go. 'Twould have been unconstitutional. Ye talk like an ass, Carruthers."

The worthy sheriff clawed at his beard. The initials "J. M." seemed to be whirling all about him, threatening his reason. He worried his appendage feverishly. He felt the need of advice, of superior advice—of immediate advice.

CHAPTER XII

TARGET PRACTICE AND LAME HORSES

THE pleasing aroma of strong coffee and crisp bacon surrounded the DZX chuck-house and Sing Li came to the door and set up a hideous clamor on the evening air with his battered old cow-bell. The dusty looking stranger grinned appreciatively over his shoulder and continued on his way to the bunk-house.

Peering in, he saw two punchers seated on the floor drawing on new and fancy boots. One was a blond, a curly-haired fellow with a wide smiling mouth. The other was a brown-haired individual with laughing, dancing eyes. They both looked capable. Other than these two the long room was empty, the bunks vacant.

"Howdy," grinned the newcomer.

"Hullo," responded both punchers promptly. "Yuh're jes' in time for chow," continued the curly-haired one. "Wash up out there at th' bench. Dang these here tight boots, anyhow," he grunted. "Frank, I jes' know these here shoes is yourn. Yuh got mine."

"Hurry, stranger," added Frank to the stranger. "They's twenty-seven hungry hyenas runnin' towards that bell right now from all directions. We gotta move 'cause they won't be

nothin' left. Yuh had ought of poured uh li'l vaseline in them gloves, Curly. They'd slide on easier. That's what yuh git for tryin' to stop th' natural expanse uh yore stirrup pushers."

The dusty newcomer smiled pleasantly and turned to wash his face and hands.

"You boys going sparking this evening? Those boots would so indicate."

"Nope," replied Curly. "We're jes' goin' to town."

The stranger's eyebrows raised behind the towel.

"I believe I'm going to like it here," he said at length. "Do you need any horse and cow artists around here?"

"We got several specialists," said Frank seriously, "but they might be room for one more."

"Who owns this ranch?"

"Bill Montague," stated both punchers, eyeing in surprise the man who dared ask such an obvious question.

"Is he a hard man to work for? Does his help all like him?"

"Most of th' work is under th' eyes uh his son Jack and th' foreman Jim Harrison."

"Well, are they easy to work for?"

"Stranger," said Curly earnestly, "if yuh find one single lonesome party on these here holdin's from th' cook on up who wouldn't go off an' die fer th' Montagues we'll—poison him."

"Lookit that gang storm th' chuck-house," in-

interrupted Frank. "C'mon, cowboys."

At the supper table the newcomer introduced himself to the keen-eyed young man at the head of the table and to the punchers in general.

"Boys," he said, "my name is Joe McQuirey. I can saddle a horse and throw a steer. I have seen worse shots. I want a job. How about it?"

Jim Harrison spoke up from about halfway of the table.

"Yuh got any duffle?" he inquired appraisingly. "Where's yore hoss?"

"Brother, you see me in my all and alls. I've a pretty strong hunch that I'll be starting at the very bottom of the ladder. Do you require any demonstrations? I can wrestle a few cows for you."

"Nope, guess not. I'm Harrison. We're ridin' a purty complete bunch uh punchers but ——" he broke off and glanced toward the head of the table.

"McQuirey?" said Jack Montague pleasantly. "Stranger, are you the man that was detained for the murder of the station agent yesterday?"

"The very same. And you are Jack Montague?"

"I am."

The two men eyed each other frankly, their gazes meeting squarely before all of the punchers.

"I like your looks, McQuirey," said young Montague softly. "You look capable."

"You don't look real soft, yourself," returned

the newcomer.

Montague smiled and made a sign at the foreman.

"I guess we can take on one more puncher," finished Harrison.

After the meal was over McQuirey strolled up to the ranch house with Jack. He led up to the subject of knives, beginning with the statement that he had absolutely no equipment.

"Did you lose a knife recently, Mr. Montague?" he finally asked.

"Yes," responded young Montague queerly. "I've missed it ever since I was in town a couple of weeks ago."

"What sort of a knife was it?"

Jack swiftly produced a knife from his pocket.

"Just exactly like this one," he said promptly.

As they entered the hallway of the house McQuirey gazed curiously at the knife. He found it an exact counterpart of the blood-stained knife the sheriff had laid on the judge's table the day before, even to the initials in the handle.

"How does it happen that you have two knives of this identical pattern?" demanded McQuirey.

"I was so fond of that design that I bought three of them at one time from a cutlery house in St. Louis," explained Jack easily.

"Does anyone know this to be so?" pursued McQuirey quickly.

"No—not that I know of," responded the puzzled Montague.

"Forget it yourself, then," admonished McQuirey. "Because your missing knife is being held as the instrument with which death was inflicted upon Myers, and I have no doubt but that it was the implement used."

"You can't mean it?" gasped Jack. "I hadn't heard a word of this."

"No? I was expecting Carruthers to come out and arrest you as soon as he locked me up. That's what held me more than anything else, you know. The initials."

Jack pursed his lips and nodded slowly.

"That is probably what has kept them from coming after me, too," he added. "*Your* initials."

In the days that followed McQuirey slipped smoothly into the ranch work. He could wrangle horses and steers with the best of them and he wasn't afraid of work. The punchers took to his breezy and friendly personality and contributed bits of wearing apparel until he looked quite presentable. Beyond the talking he did the first night to Jack he said nothing about himself. Aside from making one trip to town and one other trip of nearly two days' duration he was constantly on the ranch and at work.

The matter of the murder itself and of the missing and mysterious bondsman whom McQuirey had not known became of paramount interest. Harrison, unable to contain himself longer, broached the subject to the two Montagues.

"Where does this here new cowhand fit in?"

he demanded. "Is he guilty uh anything?"

"No," replied Bill Montague. "As to where he fits in—you are not the only puzzled person. I expect he's got all of Lebanon pretty well puzzled by now. I imagine Carruthers' brain is humming like a top."

"I've been wondering if I didn't make a mistake when I showed Owens that affidavit of Myers," said Jack softly. "If I suspected for one minute that he——"

"Yuh can go right on suspectin'," said Harrison laconically. "I wouldn't put anything past any one of that gang. Your daddy scared 'em to death at cards last fall an' yuh licked th' socks offa Owens last month but do yuh think little things like that will stop men like Owens an' his sheriff pet, or my friend Jackson, or Carter, or Tilby? 'Specially when Owens is packin' a man-size grudge?"

"It might stop Tilby," mused the elder Montague. "He had better stuff in him once. And it had better stop the others—at least until we get this Nightbird affair cleaned up. That gang is becoming a very serious problem indeed, for this country."

"If they're going to attempt anything over that knife they've got, I wish they'd start something," chafed Jack. "I'm going in to see Owens today and talk beef shipments with him. I'll give him all the chance in the world to start something."

"Yuh ain't gonna do nothin' of th' kind," de-

clared Harrison. "Are yuh plumb crazy?"

"We must make arrangements for shipping our fall beef," rejoined Jack. "Ask Dad."

"Why, Bill," said the foreman, turning to the other, "yuh ain't gonna ship with Owens after that peach trouble, are yuh? Why, I wouldn't let Jack go near him again. I don't like folks who are too silent."

"He controls all the stock pens and freight houses of the railroad that touches Lebanon," reminded the elder Montague. "You know it isn't practical to ship by steamboat. Memphis is no market."

"We don't hafta ship outa Lebanon," argued Harrison earnestly. "We can drive over to Weston on th' Canadian an' ship to Kansas City from there."

"Yes, and lose ten dollars the head by running off the beef," pointed out Jack. "Besides, I want to see Mister Owens."

"We'll lose twenty dollars th' head—or more, by foolin' with Owens," returned Harrison bitterly. "What I say around here don't seem to have no weight no more."

"Don't talk ridiculous," rejoined Jack. "You're getting old and childish. You are not figuring on losing anything by forcing conclusions with Jackson, are you?"

"That's different," said Harrison.

"Yeah," drawled Jack. "Quite different. I haven't time to argue with you. I'll bring back

a contract for cattle cars from Mr. Owens. S'long."

Seemingly unaware of his foolhardiness he rode whistling into the town. Owens, to his surprise, was reported out of the city. Before returning to the ranch, he wandered aimlessly over to the courthouse. The sheriff was not in evidence. Neither was his deputy. But there was an excited little knot of men in the room where Judge Ryan presided as Justice of the Peace.

"What's up?" he asked curiously of the gathering.

"Haven't yuh heard?" returned one of the group. "Th' bank at Licker-up was looted last night an' two men was shot."

"What!"

"'Sfact. Six men headed by uh feller in th' usual ridin' cloak rode into th' town at three o'clock an' robbed th' bank. They was interrupted by two men who come along goin' home an' th' devils shot 'em both. They rode off with seven thousand dollars."

"Kill them?"

"Not dead yet. Doc Sawyer ain't said nothin' either way yit."

"Last night? The twenty-seventh? I suppose the majority of the Licker-up men were in Lebanon for their monthly spree," commented Jack.

"That's th' reason we figured Nightbird pulled th' trick," responded his informant. "Th' bandits knowed th' town was short uh men."

"He hasn't failed yet in a raid, has he?"

"Not yit. Ain't it uncanny?"

Licker-up was a settlement somewhat north of Lebanon and across the river. The male inhabitants found four saloons rather tame when there were fifty within ten miles. Hence had come the custom of month-ends at Lebanon. Nightbird, who invariably wore a black riding cloak and who never failed in a raid, had waited for a favorable moment and had scored again.

Jack hunted out Judge Ryan and they held a long talk together. After that, Jack rode home in a very thoughtful mood. He was a young man of great vision and he foresaw the splendid future for this country. He realized that this particular section was just about the only part of the United States that could build a fence about itself and manage to live comfortably upon its own. The cloud hanging over his own head and the increasing outbreaks worried him greatly. Ever since that memorable clash with the realtor there had been a difference in his heart.

The general consensus of public opinion had laid the murder of the station agent at the door of Nightbird. Jack did not think so. He had reason for thinking otherwise. The story of the murder of Myers was not yet told.

He was riding through Hawkins' Draw, a spot hardly more than a slight buckle in the prairie with Dallas Road running through it, when his hat whipped suddenly from his head and he heard

the vicious whine of a bullet.

Instantly he fell forward on his horse's neck, spurring the animal into a reckless gallop as he glanced back under his arm. A dark figure stood against a young tree on the right-hand knoll. The sunlight glinted upon a rifle barrel as the sniper lowered the weapon.

"You know, hoss, bushwhacking always makes me mad," Jack admitted to his mount. "I wonder just who the devil that was?"

He passed Blaine's farm without stopping. When he reached the ranch Harrison had other news for him.

"Jack, McQuirey was out all night last night so th' boys tell me an' stove up Blackie with a lame forefoot."

"Where is he now?" asked young Montague crisply.

"'Sposed to be out ridin' herd."

"When he comes in, send him up to the house, will you?"

"Uh huh. Where's yore hat?"

"Lost it in Hawkins' Draw," said Jack laconically.

"Uh huh," grunted Harrison keenly. "That's nice. Which one d'yuh tag?"

"Nobody. Rifle practice," rejoined the other.

"Huh?"

"Uh huh," responded Jack and he turned toward the ranch house.

"My Gawd!" groaned the foreman. "Batty.

Plumb nutty. He thinks bein' in love entitles him to uh charmed life. I see I gotta go to town an' make it safe for th' innocent to roam around. Hey, Frank! Whoopee! C'mere, cowboy."

The puncher came loping easily up against the wind. Drawing rein at the very feet of the foreman he made a deep, mocking salaam.

"Ah ha! Der kink uf Swaden," he saluted.

"Umph!" grunted Harrison. "Round up McQuirey an' tell him th' bosses want to see him up at th' house. Tell him to rub more liniment on Blackie's leg tonight too, sure. I'm goin' in. Be back 'fore sundown."

"Hey! Wait!" shouted Frank. "Don't yuh want uh li'l comp'ny?"

"Nope."

"Aw, gwan then, smarty."

The disappointed puncher turned and rode out eastward on the range. On the grassy and sunny slope of a tiny hillock he came across the new cowhand stretched out and snoring peaceably, having located him by his horse that stood near the top of the knoll grazing lazily on the swiftly turning grass.

With arms akimbo the puncher gazed down at the recumbent form with hat drawn over face. A well directed shot would spin the hat away and rudely awaken the sleeper. Frank grinned as he reached toward his holster. Abruptly the snores ceased.

"Get thee behind him, Satan," spoke McQuirey

in measured tones from under his hat. "Don't do anything funny, cowboy, or I'll chase you clear across Richelieu County."

"Yuh ain't got no business with windows in yore hat," complained Frank crossly. "Yuh oughta do yore sleepin' at night time anyhow. Uh rustler could move th' whole ranch an' yuh wouldn't never know it."

"Is that so? You didn't have so much luck slipping up on me, did you?" drawled McQuirey, sitting up and sliding his hat back on his head at the same time. "Roll me a cigarette."

"My gosh, what uh crust," gasped Frank. "Git up, Mucilage. Mister Montague an' Jack wants to see yuh. An' Jim says not to forget to rub Blackie's leg again tonight."

"Oh, he did, eh? And since when did Jim get the idea I would neglect the stock—particularly an animal I had lamed?" His tone was casual enough but the other sensed the hurt behind it.

"I don't reckon as how Jim figures thataway atall," he drawled. "But he's foreman yuh know an' he's gotta do some talkin' now an' then to make believe he's holdin' down his job."

"Kee—rect," grinned McQuirey, stroking an imaginary beard.

He sprang lithely on to his surprised horse's back, probably shattering a day dream of ever-green pastures and clear sparkling water, afar from the disturbing element of man.

"Yuh ain't forgot him yet," cried Frank.

"Nor soon," flung McQuirey as he rode toward the ranch house.

He found the elder Montague at his desk in the big living room listening to Jack who was talking to him earnestly. The puncher shoved his hat to the back of his head and strolled up to the desk. Jack turned to face him.

"McQuirey," he said, "where were you last night?"

"Oh, riding around to blow the cow smell off of me."

"Weren't over near Licker-up were you?"

"Can't say that I was—exactly. Why?"

"The bank was looted and two citizens were shot."

"Nightbird?" asked McQuirey, raising his eyebrows.

"I guess so."

"Anybody blaming the unsuspecting bystander again?"

"Not yet," said the elder Montague. "But how did you lame Blackie?"

The puncher met his gaze squarely.

"Running away from a gang of mounted men I wasn't prepared to and didn't want to meet," he admitted frankly.

The ranchman pursed his lips and looked at his son.

"Is there anything further you can tell us?" asked Jack.

"I believe not," responded McQuirey slowly.

"I trust I haven't offended you in acting so independently with DZX stock."

The ranchman waved an impatient hand and turned back to his desk.

"Will that be all, gentlemen?" asked the puncher softly.

"As far as we are concerned," returned Jack, "yes."

McQuirey swung on his heel and left the house, frowning slightly.

CHAPTER XIII

HARRISON STARTS THINGS

THE DZX foreman cantered into Lebanon, tossed the reins over his pony's head in front of the Texas Hotel, and dismounted. Shifting his holster forward and spitting out his wad of chewing tobacco he stepped into the lobby of the hotel for the first time since the day he had been carried out on a shutter.

The Texas Hotel was really a pretentious place. Ostentatiously the property of one Mister Grenville of Dallas, Texas, it was, if the truth be known, but another link in the chain of iniquitous investments of Horsehead Owens.

To carry out the color design and the atmosphere of a metropolis practically all of the force of the suave establishment had been handpicked from hotels of larger cities. The day clerk was an importation from Kansas City. He had labored in the wilds of this unregenerate cow country for nearly a year now. As a hotel clerk in a rough town such as Lebanon he was a perfect lady. He had become fed up on uncouthness and brutality. He was deathly tired of cows, punchers, and ponies, and he longed for the sight of cable-cars and telephones.

At sight of the dusty, grim figure of Harrison

the clerk's lower jaw sagged. His mind flashed back to that day in early summer when he had seen this man carried out through the lobby, a bullet hole in his shoulder. Revenge—cattle feud—trouble—death—more violence—gun shots crowded through his mind as he watched Harrison advance. His fingers played a veritable solo on the various buzzers that rested beneath his trembling hands. It was later reported that he sounded the fire alarm, the raid warning, the dinner bell, the manager's buzzer, the janitor's button and called all of the bell hops.

A dampening silence fell over the entire lobby as every eye turned toward the DZX foreman. No one moved. The denizens of the Texas Hotel had found it quite an advantageous rule never to start anything with a newcomer before ascertaining who or what he wanted. This restraint saved mistakes and annoying depositions later on.

"Yuh oughta have th' sheriff here to accompany yuh on his chin trombone," suggested Harrison to the clerk as he balanced himself before the desk, his hands resting lightly on his waist. "What yuh playin'? 'Nearer My God to Thee'—with variations?"

There was a ripple of merriment about the room and the growing tension was relieved. The clerk's relief was pitiful.

"Is Mister Jackson in?" inquired the foreman gently.

"Yessir—nosir, that is, I mean—I don't

know, sir," stammered the uncertain young man behind the desk.

"Thanks," said Harrison dryly. "Yore explanation is very lucid."

"In th' barroom," called a voice from behind him.

Harrison inclined his head gravely in acknowledgment of this direction and walked on to the entrance into the hotel's saloon. He glanced entirely around the befogged room and then, in two quick strides, stepped through and to one side of the door, placing a solid wall between him and the men he had left in the lobby behind him. Almost subconsciously he felt to see whether his gun was at his hip.

He singled out the athletic, neatly-built gambler of the cold, sneering-blue eyes and handsome features. There was the merest hint of squareness to Jackson's head and a faint right-angled bulge to the contour of his jaw. Harrison walked slowly toward him and planted himself exactly before the amazed gambler.

Just how every one in a crowded, noisy place becomes aware of anything unusual or inimical so instantaneously is a matter of speculation, but that pending gunplay or anticipant dramatic action silences the uproar is nearly always true. Almost magically a semicircle about the two men, with the bar as the bisecting chord, became devoid of human life. The man who had been conferring with Jackson dropped back without the slightest

hesitation. The bartender sighed as he glanced at the plate glass mirror behind the bar and then shrugged resignedly.

Jackson eyed the DZX foreman calmly. His nerve, after he recovered from his shock, was under superb control. It was quite an effort to meet the gaze of the man he had shot almost precisely upon this very spot, but he managed to do it nicely. He did not make the mistake of going for his gun in sheer panic as most men in his position would have. Instead, he eyed Harrison critically up and down as one would examine an inanimate curiosity or a new bug. Then he calmly turned his back on his enemy and with a steady hand poured a neat peg of whiskey into his glass. With a deftly synchronized motion of his hand and head he tossed the liquor down his throat and shoved the bottle and glass away from him.

Harrison's face was expressionless beyond a certain grimness of purpose. He did not appear to notice the consummate bit of acting. He ignored the insult completely.

"Mister Jackson," he drawled softly, "I craves to ask yuh one question. Jes' one li'l question is all I want to know."

The gambler did not reply. He merely turned his head indifferently and bent his hard gaze on the foreman as though seeing him for the first time. He drew slowly back from the bar, allowing himself more freedom of movement.

"I jes' want to know can yuh tell me anything 'bout th' shootin' at Jack Montague in Hawkins' Draw 'long noon this mornin'? If not, can yuh direct me to somebody as has any prior information?"

The long room was completely still as everyone strained to hear the gambler's response. This was news indeed. Some one shooting at Montague of the DZX?

"Just what do you mean," Jackson spoke at length in a silky voice, "the shooting at Jack Montague?"

"Just what I said. Somebody has been indulgin' in uh li'l target practice with Jack Montague's back for a target. I came in to warn somebody that it ain't safe to so continue."

"The young man in question being too timid to speak for himself, I presume," drawled Jackson. "Or was he killed? Perhaps incapacitated?"

"Neither. They missed—if yuh haven't heard."

There was an almost audible gasp from the various groups of watchers at Harrison's direct insinuation. The painfully tense audience braced themselves and strained their ears for the crash of .45s. But the silence remained unbroken.

"No, I hadn't heard," finally replied Jackson disinterestedly as he flicked an imaginary speck from the sleeve of his coat.

"Then I am to understand that yuh don't know

anything 'bout it?" queried Harrison.

"I am sure that I cannot enlighten you as to what you are to understand," returned Jackson, and his voice was low and studiously insulting. "If you are clumsily inquiring in your crude, boorish way if *I* fired at Montague's back, the only satisfactory answer I can give you is—if I had, I wouldn't have missed."

The foreman drew and expelled a long breath.

"Thanks," he stated calmly. "I'm glad it wasn't you. They ain't no fun in that kind of merry makin'. Also, I might state in passing, I'm plumb happy to see we both admits yuh ain't above doin' th' shootin'. That will be all for today."

With this, he turned and walked out of the barroom.

Jackson watched him to the door, an unfathomable look in his eyes. Then he turned and reached once more for the bottle and glass. His face a mask, he poured a stiff libation. He raised the glass and looked at the beads on the liquid. At this juncture his composure gave way. His hand trembled and he spilled the whiskey. A gaze of such profound, burning hatred leaped into his eyes that no one present even dreamed of smiling at his pallor or his ague.

He waited until he could trust his face to mask his emotions and then he followed to the street, his step firm, his features pale but composed.

Crossing the street diagonally to the opposite

corner where stood Owens' General Store, cursing the mud holes under his breath and the thicker mud to come when the fall rains grew heavier, he ascended the stairs to the third floor. Stepping to the door marked "L. A. Owens—Real Estate," the office which served as headquarters for all of the realtor's business activities, he twisted the knob and walked in. Slamming the door behind him he stood staring moodily at the three men seated before him.

Owens, the uncommunicative and saturnine, the man of few words and many thoughts, sat behind his desk. He still wore his hat and a pair of worn riding gloves lay on the flat surface before him. Carter, the sardonic and fastidious sat in a tilted chair—a characteristic pose. Tilby, a lanky ex-Kentuckian with still discernible traces of former refinement, was a living example of that threadbare Kentucky quip regarding the reason so many Kentuckians left the blue grass country and went West; they were so frequent that the customary greeting between two natives from Kentucky assumed the form of a ritual: "Why, howdy, Cunnel. Who'd evah expec' to see yo' 'way out heah, suh? What did yo' do back home?"

The seated men blinked at the noise and looked curiously at the new arrival's gloomy face. Oddly enough it was Owens who broke the silence.

"Well?" he clipped.

"Who shot at Montague this morning?" de-

manded Jackson. "You, Carter?"

Carter looked up queerly.

"Why me? Am I the official executioner?"

"I wish to know," rejoined his questioner as his gaze sought Tilby's face.

The Kentuckian flushed slightly under Jackson's inquiring glance.

"You know that I never shoot or stab anybody from behind," he stated distinctly.

"That'll do, Tilby," rapped Owens heavily.

"So you knew it was from behind, eh?" Jackson laughed uglily.

"What about it?" demanded Carter, flashing Tilby a venomous glance.

"Why in hell did he miss? That's what I want to know," hissed Jackson furiously, his rage at last overwhelming his self-restraint. "The fool — risking his own position, not to mention tipping off our hand by such a stunt. And then missing! Did you give orders for this, Horsehead?"

Owens only grunted.

"What do you mean 'tipping off our hand'?" asked Tilby.

"You know very well they will suspect a plant after such a foolish move. You know I wanted things to quiet down before we did anything else. You know I want to be sure of success this time. Now, after that shot at Montague that long-legged jack-knife Harrison rode all the way to town to accuse me. He just left the Texas Hotel — after staying until he made me ache all over.

And I was powerless to make a move because this Myers affair is still hanging."

"You didn't give him any satisfaction, did you?" drawled Carter.

"How could I? This was a distinct surprise to me. I wanted to kill him. Owens, I can't stand this passiveness much longer. Why the devil hasn't young Montague been arrested for the murder of the station agent? You know damned well that was his knife and no one else's. Where were you this morning? He rode right into town and out again as fresh as you please. What's Carruthers doing? Running around sticking up placards about this rustler Nightbird?"

"You know the trouble," growled Owens, frowning out from under his brows. "That tramp—McQuirey—stumbled into town at wrong moment. Scared Carruthers to death—tried to let him go, but Ryan wouldn't stand for it. Analysis came so close to truth—had same initials too. Bonded by stranger he claimed he didn't know. Bondsman's initials same. Deal crabbed."

"I don't see how it is," commented Carter. "More than one person can identify the knife as young Montague's."

"You were willing to let matter rest, yourself, at first," reminded Owens caustically.

"We've been over all this ground before," grated Jackson. "You are not so patient yourself, Horsehead. And as for me, if something

doesn't happen shortly you can't expect me to keep my hands off. Regardless of what we decided before, in view of everything now, I say what difference does it make if everybody's initials are J. M.? Make this charge against Jack Montague go through and make it go through now. Are you trying to save young Montague for yourself? Besides, Carruthers had better get busy and satisfy people with some kind of work and arrest somebody. If he doesn't make a showing of some kind—you won't be dictating to a sheriff next term, perhaps before then," he concluded pointedly.

Owens was silent, a slight scowl on his otherwise wooden-like features giving a meager hint of the flying, racing thoughts locked within the bony prison of his skull. Everything Jackson had said carried weight and one or two points stung like fiery barbs in an inflamed wound.

"Why not arrest all three of the men in question?" suggested Carter pleasantly. "McQuirey and Montague are at the same place, I understand. And the mysterious bondsman can be found, doubtless."

"All three?" exclaimed Tilby. "But we have nothing on the bondsman and McQuirey is out on bond now."

"That's a good idea, Carter," endorsed Jackson, ignoring the Kentuckian's objection. "This clever cowboy tramp is an unknown quantity around here. It won't hurt him to board with

the county indefinitely. What if he is out on bond? Lock him up without bond this time. Do Montague the same way. Do the bondsman the same also."

"But, can we make it stick? Is such an action legal?" remonstrated Tilby.

"You are so obtuse, man," declared Jackson impatiently. "What difference does it make? Carruthers is taking his orders from Owens, not from the county. What do you say, Horsehead? Come out of it."

Owens' expression at last denoted a stimulated mental activity.

"This your advice, eh?" he flung at Jackson. The gambler nodded vigorously.

"Since this last development, yes," he crisped.

"All right," jerked the realtor. "Send Carruthers to me."

And Jackson and Carter smiled wolfishly while Tilby shrugged indifferently.

CHAPTER XIV

THE MAN FROM ROCKHOUSE CANYON

UPON the sixteenth of the month, three days before the murder of the station agent at Lebanon, at dusk a lean, tired looking man rode into the farmyard of Blaine's fruit ranch and swung stiffly to the ground. He carried an ancient looking, sawed-off shotgun which he handled affectionately. His horse, an animal of no apparent parts save prominent bones, looked as weary as its master.

Henry Blaine walked down to meet the stranger.

"Evening," he said.

"Howdy," returned the stranger wearily. "Can yuh put me up fer th' night?"

"Yes, indeed," Blaine replied heartily. "You've come a long way since morning, I take it. Lead your mount right on into the barn."

"Thanks. I come from quite uh ways th' other side uh th' Canadian."

"You don't say. I dare say the rest will be welcome to your horse."

"I reckon 'twon't hurt none. Me an' Hercules has kivered lots uh territory together. This ain't th' fust time we been tired. My name's Martin—Jed Martin."

"And mine is Blaine. Glad to have you, Mister Martin. Just turn Hercules into that far stall. There's a feeding already there and hay above in the rack. He can get water at the trough out here in the barnyard."

They walked together to the house where Patty was experiencing little difficulty in placing supper before the two regular hired hands. They sat down to a bountiful table and Martin immediately fell under the spell of the girl's cooking. He had thought that such dishes existed only in Heaven.

He listened to her vivacious chatter and admired her shrewd sense and quick wit in his awkward way. She was a complete revelation to him. He had never seen a woman like her before in his life; all the women he had ever known had been colorless, ugly, lifeless, uneducated. A wave of pity for those others swept over him and wonder engulfed him at the beauty and depths of this radiant creature.

Nevertheless, despite the obvious culture of the Blaines, Martin felt a subtle kinship, an intangible bond of sympathy of some kind between them and himself. He smoked a pipe or two in lazy contentment with the fruit grower after supper, but the singing crickets and locusts, together with a comfortably filled stomach, conspired against him and weariness overtook him where he sat. He evinced a desire to go to bed and Blaine courteously showed him to a spare room that almost frightened him by its orderly cleanliness.

But Jed Martin had a brighter look the next morning. His homely, lined face seemed less tired and a kindly expression shone from his eyes despite the stern, set expression of his features. He looked at everything about the place carefully, taking things one item at a time, as though passing upon one object before allowing his mental vision to pass on to another image. It was after breakfast that he broached the matter which he had evidently been mulling over to himself.

"Yuh got uh likely place here, Mister Blaine, he said. "It looks like uh real good farm. Where I come from they ain't fifty acres in one spot no place, an' th' soil is pore an' stony."

"Is that so? Where are you from, if that is a fair question?" Blaine inquired, seeing that Martin had practically invited such a query.

"Down in th' Kimish Mountings in southwestern Arkansaw. I ain't been home in nigh onto five year now an' I'm kinda homesick fer farmin'. I ain't no cowpuncher. I'm jes' uh plain farmer an' mounting man an' yore place sure looks good to me. I wonder could yuh use uh extry hand fer uh spell?"

"Unfortunately I've done very little on the farm proper, having spent most of my time this year on peaches," said the fruit grower. "And fall is here now. There won't be much to do except care for the stock. I really don't need any more help. I'm sorry."

"Mebbe I didn't make my idee plain. I'm

aimin' to stay in this part uv th' country fer uh spell an' I hafta eat while I stay. I'd be willin' to work fer my board an' keep an' fodder for Hercules," suggested Martin hopefully. "Hercules kin work, too. An' I wouldn't wanta saddle myself on yuh fer always. Jes' fer uh spell. An' everybody else 'round here's ranchin', ain't they?"

"That's true. I've the only farm around Lebanon," murmured Blaine. "But I can't allow a man to work for me under those conditions. I would be ashamed to offer a full-grown man such wages. I'm sorry I have nothing really to offer you, but I am just getting on my feet here."

"But 'sposin' I insist on workin' under those conditions?"

"I never turn anyone away from my table," returned Blaine simply. "You're welcome to stay, if you wish."

"Thanks," said Martin. "You're hospitable an' kindly, neighbor. I won't fergit it."

Martin proved to be a willing worker, and he possessed quaint bits of knowledge regarding farming, some of which Blaine found instructive, some of which he found highly amusing. Except for one trip to town on the afternoon of the twentieth, four days later, he stayed fairly close to the farm. Aside from the fact that he subjected everyone who passed or stopped to a close scrutiny there was nothing peculiar in his actions.

Bit by bit he revealed his life and his past to the ex-Mississippian and in return he learned

somewhat of Blaine's former struggles with a poor farm that was just a few degrees advanced above his own rocky, hilly soil. He was interested in the fruit grower's story. It was like turning an unsuspected page in the bleak chapter of discouraging farming.

Perhaps he saw in Blaine a kindred soul, a bond brother in the fraternity of unceasing toil and barren returns. Perhaps it was his need of human sympathy and understanding and he realized that here he would find it. Whatever the cause, he gradually overcame his native reticence and talked, and Blaine was not greatly surprised one day, while they rested on their pitchforks in the barn and were alone together, to find Martin baring to him the mainspring, the essentials, the unwavering resolve in his life.

"So th' next day Hugh was drivin' back from th' railroad which nigh onto forty mile away," Martin was saying, "an' he was drivin' th'ough Li'l Windy Gap on his way back to Rockhouse when he spied this here stranger awalkin' 'long like he was powerful tired. 'Course Hugh give him uh lift. Down our way nobody thinks uh passin' up uh walker.

"Waal, th' feller said his name was Thompson an' he was on his way to Texas. They rode on to th' three forks an' all th' time this here Thompson was cottonin' to th' hosses. Hugh ast him to stop over fer uh spell an' Thompson said all right. An' jes' after they turned off onto th' right fork

this here snake reaches casual-like behind him an' picks up Hugh's shotgun. 'Fore Hugh could more'n tell him to be keerful th' cur shot my brother right in th' head, blowin' th' left side plumb away."

Martin ceased and let his fork drop unheeded back against his shoulder as he clenched his lean, brown hands in recollection of that simple but ghastly little tragedy. Blaine's eyes grew kindly and sympathetic as he listened.

"He went th'ough Hugh's clothes an' tumbled him over into th' road an' turned round an' driv off th'ough th' middle fork. Jes' think of it! Killin' uh man jes' fer uh pair uh hosses an' mebbe five or ten dollars," concluded the mountaineer bitterly.

"But, Martin, how did you find out just how the murder was committed?"

"Th' road warn't traveled much," replied Martin simply. "When we set out to look fer Hugh four days later when he didn't show up—we knowed he wouldn't of stayed that long at th' railroad—they hadn't nobody else been along th' road. We found th' spot where Thompson had throwed Hugh out into th' road an' searched him. Uh li'l farther we found th' gun an' 'bout twenty yards back we seen th' tracks where th' hosses jumped when he fired th' gun. An' back in Li'l Windy Gap was th' stranger's footprints where he'd been awalkin'. We could tell he was uh purty big man."

"And you found Hugh?" prompted Blaine gently.

"Yep, we found Hugh," replied Martin queerly. "But he warn't layin' there in th' road. He had come to hisself some time later an' was thirsty, 'course. He knowed where he was an' he drug hisself two hundred yards down th'ough th' timber to Deer-lick Spring after water. God only knows how long it tuck him. An' when he got there——" Martin's voice broke and his face twitched spasmodically. "When he got there, Mister Blaine, th' damn spring was dry.

"That's where we found him, his head all open an' bloody an' hunderds uh flies buzzin' an' crawlin' round on him. When I seen him I knowed he was dead. I run down to him, my heart in my boots. I reckon I was cussin' out loud an' makin' uh noise 'cause jes' as I got to him, he opened his eyes an' looked up smilin' at me. 'That yuh, Jed?' he said. 'I been waitin' fer yuh.'

"Yuh can't never know how I felt, Mister Blaine, when he said that. Th' goose bumps stood out all over me an' I thought my heart 'ud bust. He'd been there four days 'thout no water even, jes' uh sufferin' an' waitin' fer me. An' I didn't know it all that time till his woman come over to my cabin on th' other side uh Rockhouse an' told me he hadn't come back from th' railroad.

"We never thought uh him bein' lost or hurt

'cause uh mountaineer knows his mountings. But jes' think of that! He'd been there all that time an' I didn't know, I didn't know. If I'd 'ud been there I could of helped him; mebbe I could of got him to uh doctor down to th' railroad; anyway I could of got him water an' been company. There he was, still in his right mind, aknowin' he was gonna die, sufferin' an' alone, his head plumb full uh maggots — th' blow flies had blowed him, 'course — an' somewhere four days ahead of me was his murderer jes' drivin' off peaceable. Oh my God!"

After a silence he continued.

"We give Hugh uh drink an' made him as comf'table as we could, but his mouth was swelled up an' he died 'fore we could git uh wagon there to move him. That was more'n four years ago. I ain't caught up with Thompson yit an' I been all over Texas," concluded Martin with such grim finality and absolute confidence in the ultimate justice of kismet that Blaine almost felt pity for the man who had been just "four days ahead" when the blood trail was taken up.

"How do you expect to recognize him?" questioned the fruit grower gently. "According to your story, you've never seen him and know only that he was a big man."

"I'll never miss him if he's alive," stated Martin positively. "Hugh lived long enough to tell me that he had uh rabbit mouth that quivered like he couldn't he'p it, an' close-set eyes an' uh

square kind of scar 'bout th' size of uh half dollar in th' middle of his recedin' chin."

Blaine shook his head slowly.

"There's no one whom that description fits perfectly around these parts that I am aware of," he said at length. "You had better ask the Montagues of the DZX. They know this country well."

"I will," affirmed the Arkansan. "I ain't in no hurry now. I been chasin' down fellers that was said to tally with that description fer goin' on to five year now an' they hasn't been th' right man. Mebbe I'll find him when I least expect to. Anyhow, I'll find him some day, an' we'll both know it when I do."

Blaine clasped his hands over the top of his fork and gazed out over the rolling country with retrospective eyes. He had received a glimpse of a life behind that curtain which veils all human souls that startled him with somber thoughts. He could appreciate, because of his own bleak existence, a life story behind Martin's simple speech of soul searing toil as barren of all that made life worth while as a sun scorched rock in the desert.

Martin had been born and reared in the Kimish Mountains. According to his description of his homeland every little stream, every little gully, each valley, each hilltop had an individual name although there were miles and miles of wild mountains and forests that no white man had yet

climbed or penetrated and probably few red men of the past.

The first white settlers who had penetrated into this aboriginal country had probably been immigrating westward and had paused in despair in the heart of the region, unable to proceed and doubting their ability to retrace their steps. They had remained, almost forgetting the rest of the world and likewise being forgotten.

The soil was stony and unproductive in many places. Nowhere in the country closer than the first foothills leading into the mountains could fifty acres of ground fit for cultivation be found in one spot. The principal occupations were farming indifferently, hunting, trapping, fishing, moon-shining and feuding. The houses were structures unappealing to the eye, roughhewn log shacks of uneven and unbeautiful construction, chinked with clay and barren of all comforts.

Wild game claimed the country. One could ride—where horseback riding were possible—for miles and miles without striking a human habitation. No season brought more than bare necessities to the mountaineers and a poor season all but left them destitute. During the period of depression following the Civil War times had been so terrible and weather conditions so unfavorable that the mountaineers had had to follow the government teams which drove through the foothills and pick out the undigested grain left along the trail by the animals in order to

have seed for the next season's planting.

Blaine visualized the barrenness of all this through the medium of the lanky Arkansan's voice. He could see the cabins perched crazily and crudely on rocky hillsides, the drab women with their one-pattern dresses and bare feet, with their faded bonnets and colorless lives. He saw the old mountaineers who dimly remembered another world than this, a world of less sterility from which they had inexplicably been taken as children. He saw the unhappy, bleak childhood of those born in the mountains like Martin, robbed before the cradle of their rightful heritage of happiness and love. Thank God for the slight blessing that their suffering was not as acute as it might be. Thank God that they knew not what was lacking, that their mental growth, their imagination, their chance for comparison had fortunately been dwarfed and unrealized.

The meditating farmer could see the harsh ideals, the individual passions, the leaping play of the flames of primitive love and hate, the unyielding code of honesty and of a life for a life—a law and a cycle of existence as mighty to them as a merger on Wall Street or a war to the rest of the world.

He could see a weeping woman, stirred at last out of her spiritless calm, crying in her patched calico apron, two or three half-clad children clinging to her knees in fearful and uncomprehending wonderment as the limp form of the husband

and father was tenderly carried into the cabin and laid on the dusty, rustling cornshuck mattress—a victim of the deadly feuds of the mountains.

Blaine sighed and shuddered.

“*This* certainly is God’s country, Martin,” he murmured softly.

“Yep, I reckon it is. But th’ mountaineer loves his mountings. I ’spect we better git to movin’ this here hay,” responded Martin ordinarily.

CHAPTER XV

MISSING — ONE COWPUNCHER

“CARRUTHERS,” said Owens heavily, “go get young Montague and McQuirey.”

“H—huh?” The worthy sheriff was astounded. He eyed the realtor with popping eyes. “How’s that? Git Montague *now*? I thought that after that tramp mix——”

Carruthers halted of his own volition. Horse-head Owens did not speak. He glared steadily into the beady orbs of the sheriff.

“But—but how about McQuirey’s bond—Judge Ryan——?” faltered the uneasy official.

“Leave that to me,” clipped Owens briefly. “All you got to do is to get ’em. Also, find that bondsman.”

Carruthers gulped noisily in his uncertainty and bewilderment. Later, he was so physically uncomfortable also that he became of the firm opinion that—in that very instant—he had swallowed his tobacco. At least he couldn’t remember spitting it out and he had heartburn for an hour.

“Kee—rect,” he managed to quaver and he turned weakly to go.

For some reason Sheriff Carruthers was troubled. He did not anticipate a very pleasant

journey nor a very delectable reception at the predetermined destination. There were various reasons—about thirty of them. Hence, an hour later found a posse of forty men, hard-faced and silent, turning out Dallas Road and heading south.

Perhaps the least about the men Carruthers deputized to ride with him the better. "Water seeks its own level," goes the axiom. The opinion of the better citizens of Richelieu County might be summed up in the comment of Curly Matthews as, pausing on the step of the chuck-house, he made out the identity of a number of the riders through the dusk.

"My gosh!" he exclaimed. "Somebody must of hung th' high sign on th' Texas Hotel. Looky what's on th' move."

The punchers turned from the alluring doorway and peered out at the oncoming visitors. Almost as one man they deployed and drew their guns as, creaking and jingling, the sheriff's posse turned from the main road and rode up to the DZX corrals.

"Hey! This here is me—Carruthers," shouted that official hastily. "No fireworks now, boys. This here is uh posse."

"Oh, is *that* what yuh call yore bunch?" queried Frank. "Much obliged for th' information. We was figurin' th' posse 'bout half uh mile behind yuh."

The sheriff's reply was very indistinct, his an-

ger and his caution struggling with each other. He must have stuffed his beard into his mouth to prevent ugly words.

"We come to talk peaceable an' to ast yuh for that feller McQuirey," continued Carruthers as soon as he again commanded his voice.

"McQuirey?" repeated Curly wonderingly. "What's he gone an' done now?"

"Where is McQuirey?" whispered one of the punchers suddenly. "I don't see him."

"He was here jes' 'fore we sighted th' posse," said one. "I felt him shovin' towards th' chuck-house."

A murmur of surprise ran around the ring of DZX men. The members of the posse milled their horses impatiently.

"What's wrong here?" asked the cool, even voice of Jack Montague as he came from the direction of the ranch house with Harrison. An instant later the elder Montague came forward from the neighborhood of the bunk-house and joined them.

"We come to git uh man accused uh Myers' murder," stated the sheriff, taking hold of his faltering courage with both hands. "Don't resist th' law, young man. Be peaceful now. Make yore punchers put up their hardware an' let us git this business over with."

"Whom do you want? And have you a warrant?"

"We wants McQuirey an'—Mister Mon-

tague," called Carruthers in evident relief as he saw the form of the ranchman loom up, "I gotta git two men here. Help me tend to this business peaceable 'fore our men gits away—that is, if they was uh mind to."

"Golly, th' quota's growin'," put in Curly aghast. "At first he only wanted McQuirey. Th' longer he stays th' more he wants. We better hurry an' fix him up or he'll want us all."

"Who is the other man you want?" demanded the elder Montague crisply.

"They's been developments," stated the sheriff carefully, "an' I gotta—I'll hafta ask yore son to come along till we git things straight."

The punchers surged forward with a roar, the frightened horses of the posse reared backward and Harrison sprang quickly before the angered DZX men. Jack exchanged a glance with his father.

"Careful, boys," cautioned the ranchman calmly. "Sing Li! Bring a lamp out here. Sheriff, we have no intention of resisting the law. However, you might explain matters a bit. I understood that McQuirey had been arrested and bailed out once already in this affair. As for my son, just how do your developments concern him?"

"I ain't at liberty to tell yuh all 'bout it, but th' clue lays suspicion on both uh them."

"Just what do you mean?" grated Jack, making a swift step toward the sheriff.

"Easy, son, easy," admonished his father. "Let's get this straight. McQuirey! Come forward."

"He ain't here, Mister Montague," spoke up Frank.

"What's that?" fairly howled Carruthers. "I knowed yuh was wastin' time for uh purpose. Dismount, men, an' surround th' chuck-house first."

"There's no use," broke in Harrison in a dangerous, flat-toned voice. "We don't double deal out here. McQuirey ain't here, I can tell yuh that without lookin'. If he was, he'd step up for Mister Montague."

"He was here uh li'l while ago," offered Curly helpfully. "He must of seen yuh comin', Sheriff, an' went off for uh li'l fresh air. Yuh understand how I mean this."

Carruthers exploded in angry exasperation.

"Don't talk like that, Sheriff," protested Frank. "Yuh'll teach our hosses bad habits an' make th' meat on th' steers tough."

"He can't be far away," snarled Carruthers, ignoring these pleasantries, all of his former reluctance burned away at Montague's seeming complaisance and as the dormant and cruel lust of the manhunt which lies in every human bosom, a surviving instinct of primordial ages, welled up within him. "He's likely on th' place. Hunt for him. Mister Montague, yuh ain't gonna object to that?"

"Not at all," responded the rancher shortly. "My men will help you."

"An'—an'——" hesitated Carruthers.

"And I will be right here, watching every move you make," purred Jack felinely. "*You* can't get away from *me* now until you explain yourself."

Faintly Carruthers waved his cohorts on to the search. He wondered why he had never noticed the danger signals that stuck out all over this youth before. If he had ever read potential killer and cruel ruthlessness in a human face he read it now in young Montague's. Why was Owens such a fool? Couldn't the man see the terrible change in this young tiger? Very earnestly Carruthers wished himself safely out of the mess.

The search was short-lived.

Before the members of the posse could bark up their shins in the darkness and swear feelingly for the entertainment of the delighted cowpunchers two of them approached the bunk-house door and espied a square of gleaming white pinned to the door. One of them struck a match and cupped it in his hands before the paper. They saw marks upon its surface.

"Hey, Sheriff!" one called. "C'mere, quick!"

The entire group of deputized men and cowpunchers mingled together before the closed door, animosity engulfed in their common curiosity. The ranchman, the foreman, and the sheriff crowded forward to decipher the find. Carruthers could hardly focus his mind upon the

matter, with young Montague looming large in his thoughts.

The paper proved to be a message, brief and cryptic.

Dear Sheriff:

It is the cream of several curdled jests that you should be hunting me. Did finding out that I was worth ten thousand dollars make you think I ought to be safely locked away at night? Sorry I couldn't stay to bid you goodby again. I trust it doesn't happen a third time. I have learned much from you, particularly a well rounded lesson on headwork and gratitude. Perhaps I may be allowed to some day explain.

Until a more propitious meeting,

"J. M."

"Damnation!" ejaculated Carruthers uglily. "I dunno what he means by all this gingerbread but I can tell yuh that we've let Nightbird git away from us."

This statement caused a distinct reaction. Cries of wonder, of unbelief, of demand rang out. Even the members of the posse were astounded at the turn of events and at the sheriff's infuriated words.

"Gosh! How clumsy," sympathized Curly. "Almost in th' daytime, too."

"Have you any proof of your statement?" demanded Montague, senior.

"Not jes' yit," reluctantly admitted Carruthers, fumbling with his beard. "But that's th' theory I'm followin' an' it seems to be showin' results."

"And now," grinned Jack hungrily, slipping squarely before the angry officer, "just what has this to do with me?"

But Carruthers was angry now and in his badgered position he became reckless.

"Yuh?" he exclaimed, raising his head and peering down owlshly and belligerently at his confronter. "Yuh. Oh, yeah, yuh. Well, where was *yuh* on th' night uh th' nineteenth uh last month—th' night th' station agent was murdered? Huh?"

"I was—let me see, I was in Lebanon that night until twelve o'clock."

"Kee—rect," smiled the sheriff sweetly, stroking his beard triumphantly. "Yuh was in town, Myers was killed that night, uh knife was found with yore initials on it in th' cashbox uh th' express comp'ny's safe, an' yuh was seen to lose at roulette that night. Now can yuh see any connection, young feller?"

"No," smiled Jack coldly. "I can't."

"I gotta explain it, have I?" inquired the sheriff caustically. "Well, is or ain't yore initials J. M.? Do yuh or don't yuh carry uh stag-handled knife? An' where is yore knife?" he concluded dramatically.

"Here," snapped the young man swiftly, and he produced his knife and held it in the rays of the lantern that Sing Li brought closer.

"Lordamighty!" cried Carruthers wildly, his eyes taking on a beautiful glassy cast as he stared

at the implement before him. "Didn't yuh lose—I mean, ain't that uh different knife?"

"Jes' what are yuh talkin' about?" queried Harrison keenly.

"Damned if I know," shouted Carruthers furiously. "I got uh knife jes' like that an' ——"

"Why don't yuh arrest yoreself on suspicion then?" suggested Frank innocently.

The sheriff glared. His ire made him so oblivious to personal danger that he so far forgot himself as to make a very emphatic statement.

"I got uh knife jes' like that—initials an' all—in my office," he stated distinctly. "I'm holdin' it for evidence an' Myers was killed with it. I don't care nothin' 'bout this here knife none whatever. Young feller, yuh gotta go back to town with me."

"Gotta go?" whispered Jack softly, and a peculiar gleam came into his eye. "Gotta go?" he repeated.

"Kee—rect," snapped Carruthers, jerking his beard out until its end actually brushed the young man in the face.

"Have yuh got enough men to take him?" asked Harrison softly, while Jack drew his head back and calmly opened his knife.

"Now, now, Harrison," cried the officer hastily, "don't git riled. I'm jes' doin' my duty."

Then, out of the tail of his eye, he caught sight of the open blade and attempted to draw back. But the crush of men about him effectually pre-

vented this maneuver.

"What are you doing, son?" cried the elder Montague sharply.

"That bunch of alfalfa is a dang nuisance and Carruthers has cheated the barber long enough," stated Jack rapidly. "I'm going to shave him right now." And his hand shot out and caught the sheriff's beard, jerking the officer over to him amid the wild yells of delight from the surrounding punchers.

"Help!" screamed Carruthers in a terrible voice. "He's gonna kill me. Shoot him, somebody. Help! Quick!"

Remorselessly Jack raised his knife swiftly, Sing Li accommodatingly bringing the lantern closer. The eyes of the sheriff protruded and went glassy with terror. He gurgled horribly and his knees gave way beneath him. He slumped drunkenly and had it not been for Jack's hold on his beard he would have slipped to the ground.

"Wait, Jack," laughed Harrison. "Th' dang fool's fainted with fear. One uh yuh boys get uh bucket uh water."

"Stop!" crisped Bill Montague harshly. "Jack!" And he caught his son's wrist, jerking the young man roughly. "You've scared the man to death. Can't you see? Come out of it."

He thrust his face squarely before that of his son and he was startled to see the complete stranger who stared out at him from those blazing eyes.

Slowly the glare went out of Jack's eyes and the light of sanity returned.

"My God, boy," breathed his father. "You gave me an awful fear, myself. Put up that knife. We'll stop this foolishness right here. It is best for you to go to town with this posse. If a man is under just suspicion—whether he is guilty or not—no man in this country is too big to be arrested."

Jack laughed, a queer little laugh.

"As a sheriff," he said, "Carruthers is an ass. I do not see that I should go."

"Well, I'll try to convince you," said his father grimly. "Come to one side with me for a moment."

"Say——," began one of the hard-faced deputies, reaching out a hand.

"I was speaking to my son only," stated the ranchman, and his gaze was so steely that the fellow stepped back in some confusion. "Get your chief officer in riding condition."

"But, Dad," remonstrated Jack vehemently.

The elder man interrupted him by throwing an arm tenderly about his shoulders and drawing him along out of earshot.

After a brief interval during which Carruthers was helped into his saddle, they returned and Jack, unarmed and docile, saddled his horse and mounted without a word.

"Carruthers, hear me," stated Bill Montague as the posse turned to go, Carruthers comfortably

out of reaching distance of his prisoner, "my son goes with you, alone and unarmed, of his own volition. He is obeying the law and is under the law's protection. You know me fairly well. See that he arrives at Lebanon safely and remains safe until he returns to this ranch. Understand?"

The sheriff nodded weakly, hanging dejectedly over his saddlehorn. The posse swung out into the open road and headed toward town.

Montague stood gazing after them, an inscrutable expression on his face; two harsh, grim lines drawn about his mouth.

"Damn Owens," he said aloud, in seeming inappropriateness.

"Plenty damns," added Sing Li gravely.

Eloquently silent, the entire body of punchers, including Harrison, turned to Montague for an explanation. The rancher vouchsafed them nothing.

"Bill," said Harrison piteously, at length. "Yuh ain't gonna let Jack spend uh night in jail, are yuh? Yuh wasn't meanin' that now, was yuh? Jes' say th' word an' we'll go git him right now. Jes' say you're jokin'."

"He won't be the first DZX puncher to stay overnight in jail."

"Nope, not for bein' drunk or something like that. But this is for murder, Bill. This is for *murder*."

Knowing that Harrison would not understand, knowing that he could not explain to this worried

old man, Montague attempted no word of explanation.

"Let's get to the table," he said abruptly. "From Sing Li's expression I judge he is quite out of patience. Every blessed one of you punchers hit it for the chuck-house. *Pronto.*"

With faces averted the men filed into the long room that served as a dining hall, Montague following. Eyes were downcast and the usually boisterous punchers were quiet and low-voiced. Expressionlessly the rancher seated himself at the head of the table, not even glancing at the mutely vacant seat at the other end.

As Sing Li began pouring the coffee Harrison dropped his head on his arms.

"An' he sent him off without any supper," he cried brokenly. "Li'l Jack."

A suspicious moisture appeared in the ranchman's eyes as he glanced at the back of Harrison's graying hair. But his lips tightened and his lean face became stern and formidable looking.

"Hell!" whispered Frank to Curly, as he glanced covertly into that bleak, capable looking countenance. "He thinks Jack is guilty."

As the last of the punchers entered the chuck-house, the bunk-house door slowly opened. From the dark entrance stepped McQuirey, the missing cowpuncher. He smiled a faint little smile as he stood for an instant looking toward the lighted chuck-house. Then he shrugged resignedly—

regretfully as he slipped silently to the nearest corral and unerringly sought and found the excellent black horse that he had lamed before. The animal had completely recovered from his strained tendon and he nosed the man affectionately as he was being saddled.

Leading the gelding cautiously out to the road McQuirey vaulted lightly into the saddle.

"Adios, DZX," he murmured, raising his hat in the darkness. "You're a pretty decent bunch but I can't say the same for your friends in Lebanon. I'll be sending Blackie home in a day or two. I can't have horse thieving added to the list of my alleged crimes to worry the dear sheriff."

He spurred the responsive animal into a mile eating canter as he rode south toward Texas.

CHAPTER XVI

JUDGE RYAN CALLS

HIS Honor, Judge Ryan, was angry. He was distinctly out of temper. In fact, one might almost call his state of mind choleric. And when the legal oracle of Lebanon was really aroused it meant an unpleasant time for someone—for anyone. For Judge Ryan had that pleasing trait of letting his righteous or what he at least considered his righteous wrath find and fall upon its victim, faltering not before friend and failing not before foe.

He ran through the charges on the docket this morning with a burst of speed that outrivaled all of his previous records and which dazzled and awed his overworked clerk. The ears of more than one minor offender smarted unduly before the judge closed his book with a bang and declared court adjourned, completely, individually and collectively. He left a dazed clerk behind him writing furiously to catch up with the verbal decisions and went home for his riding horse.

Shortly thereafter he rode out Dallas Road on his big rawboned mare, his rusty coat tails flapping dictatorially over and behind the cantle of his saddle. For Judge Ryan was making a call on one William Montague, Esquire, ranchman and

cattle king. He was making a visit that practically amounted to a legal call, too. True, the legal authority of Lebanon and environs had no business allowing himself such open indiscretion, but then, this legal authority usually did just what Judge Ryan wanted to do.

He rode up to the pair of cowpunchers who leaned and talked so earnestly together against the rails of one of the DZX corrals. They proved so engrossed that they failed to look up. This did not improve the judge's humor, either. He stared down at them heavily.

"Say, ye two spalpeens," he boomed out at length, "shake yer legs an' act int'rested at seein' some distinguished company. Where th' hill is yer boss?"

"Howdy, Judge," said the pair gravely together as they raised their eyes.

"I think he's up at th' house," added one of them woodenly.

"Bejabbers, but 'tis an animated bunch. Where's th' funeral to be held?"

"Dunno, Judge. Jes' as soon as we can git hold of uh certain Irishman."

The judge tried to look startled.

"Nothin' personal in that statement, sure now, was they?"

"Nope," admitted the two men solemnly.

"'Spose ye spill yer trouble to me?" suggested Ryan mildly. "'Tis barely possible than I can put ye right."

"Yuh tell him, Frank," urged one.

"It's thisaway, Judge," complied the other. "About forty reasons why Lebanon ain't christian come out here last night after Jack an' McQuirey on uh fishy charge regardin' th' murder last month. McQuirey seen 'em comin' an' he slipped off. Th' sheriff took Jack in an' Mister Montague let 'em go. He wouldn't let us put up no resistance atall. Now McQuirey's gone with uh good hoss an' saddle while Jack lan—lang——"

"Languishes," supplied Curly.

"——languishes in jail," proceeded Frank.

"Now we didn't figure th' new puncher guilty uh nothin' an' he shouldn't of run off an' left Jack to face th' music. We kinda liked McQuirey, but we sure don't like this way uh doin'. An'——an'——"

"We don't want Jack in jail even if th' whole railroad system went dead," concluded Curly with a growl. "Gosh dang! But I'm mad."

"Th' verdict is unanimous," declared the judge. "Nather do I. But just ye rest easy, b'ys, an' we'll be fixin' things right away in spite o' th' gang what's pestering Jack. Mebbe before th' case o' th' murder comes to trial we can find out enough to make plenty o' trouble for some busy-body."

With that Judge Ryan wheeled his horse and rode up to the wide porch of the ranch house. He grunted heavily as he heaved his formidable bulk out of the saddle. As he set foot to the

ground the big mare lowered her head and wheezed in relief.

"Ye're a domn liar, Maggie," bellowed the indignant judge, shaking his fist at the stolidly gazing and innocent looking horse. "I don't weigh a pound over two fifty. Montague! Montague! Where th' hill are ye?"

"Here, Judge, in the living room," answered the ranchman's steady voice in which there was a hint of repressed laughter. "Come right on in."

"William Montague, what in hill's wrong wid ye? What d'ye mean by lettin' Jack stay in jail?" flung the judge with a crescendo of rage and sarcasm as he approached the tall form of the ranchman. "What's th' big idee o' lettin' him go to jail atall, atall? An' why haven't ye come right in to put up bond, outrage though 'tis? Ye knew I'd see that bond was not denied ye. Ye waitin' for th' mysterious bondsman to bail him out, too?"

"Now that's not such a bad idea—if we will but wait for him," agreed Montague, winking pleasantly at the red-faced man before him. "Wouldn't poor Carruthers' head buzz then, like a mad hornet under a tumbler? You know, Judge, this bailing philanthropist might do that very thing—if we will only wait."

Ryan snorted impatiently at the other's ridiculousness.

"If they didn't grab him an' slap him into jail," he said pointedly. "Remember, his initials

are J. M., too. Besides, waitin' be domned," he burst out irritably. "What's wrong wid ye? I'll bail Jack out meself. An' I'm ashamed o' ye, William Montague, plumb ashamed. Why, I wouldn't o' known Jack was locked up if Higgs hadn't spilled it to me accidental. Ye act like Jack might be Nightbird himself."

"Now you are getting down to something tangible," the rancher commented quietly. "Rumor is a hellish thing, Judge. Some good folks hereabouts already have that idea, doubtless. And you know how hard it is to root out a false idea once it has taken hold. It still persists and crops up again and again in future years. You remember the story that was circulated on you—about you consuming the whiskey stock of three saloons and closing them up until a new shipment got here from 'Whiskey Smith' and in reality it was only *one* saloon."¹

The judge reddened. His chair protested creakingly as he fairly flung himself up and out of it. Leaning over the desk beside which Montague stood, he opened and closed his lips soundlessly, the very eagerness of his stinging, eloquent phrases blocking each other before they could tumble in sarcastic cascades from his mouth.

"Settin' aside yer personalities," he finally gurgled—"ye say that rumor will besmirch th'

¹ Author's Note: Being the closest legalized wet spot and having several distilleries or warehouses, Fort Smith was colloquially known as "Whiskey Smith" throughout the Territory.

name o' Jack Montague? While I live? An' me havin' known his mither, a foine gentlewoman if they iver was wan, God rest her soul. An' knowin' his dodderin' auld fayther right now, a man respected an' looked up to in th' cattlelands. Montague, ye talk like a jackass."

The rancher smiled slightly. Then his face became grim.

"Have you observed Jack very closely since his meeting with Owens that day at Blaine's?" he asked seriously.

"Not particularly," rejoined Ryan. "Sure an' why?"

"I wasn't there, but Blaine told me that it was a glorious fight. Something wild, the something that I have feared for years, came to life in Jack's breast that day. I actually shudder when I speculate on what would have happened to Jack had he killed Owens. As it is he stands in the very center of the scales. One way lies self-control, restraint, happiness, character, and stability. The other is the life of—a ruthless killer. And Jack has immense capacities for either."

"I don't belave it," snorted the judge abruptly. "If th' lad's own good common sense can't keep him straight sure an' th' girl can."

"I hope so," breathed the rancher fervently. "But when people begin noticing the difference in him, they're not going to put that murder past him—they're not going to put Nightbird past him."

"Ye're drunk," stated the judge rudely. "I'm bettin' on Jack an' don't ye forget it for wan instant. Don't ye interrupt. Shut up an' listen. Tell me how in th' hill Jack can be taken for Nightbird even wan instant? Ye will be admittin' that he was locked up safe an' tight last night, won't ye? Well, last night John Perth, yer neighbor just west o' ye here, lost two hundred head o' choice cattle to Mister Nightbird himself, ridin' cloak, gang an' all. An' wan o' Perth's punchers was killed entirely. Does this squelch yer Nightbirdin' theory?"

"Cowpuncher *killed?*" exclaimed Montague gravely. "Are you sure? Unless one or both of the men shot at Licker-up have died, this is the first killing to be accredited to Nightbird, isn't it? That is, outside of the murder of the station agent."

Ryan looked blank for an instant.

"Uuumm — yes. 'Tis th' first actual killin' to come to me official attention. Now what th' hill are ye drivin' at?"

"How sure are you that Nightbird conducted last night's raid?" demanded the ranchman, spreading his feet apart and pointing his finger straight at the judge's nose.

The transition from defensive to offensive, from questioned to questioner, was so complete that the judge blinked. Involuntarily he raised his hand to his organ of smell, so hypnotic was that pointing, unwavering finger.

"Ye know 'tis reported that Nightbird never makes a raid unless he himself is present to direct it. He figures that'll eliminate mistakes. An' there was no mistakin' his whiny voice so Perth said."

"All right," Montague conceded. "Maybe so. Perhaps that will lift any possible suspicion from Jack's shoulders. But it doesn't clear him of the station agent's murder and the fact that his knife was found there."

"Hill's bills an' sivin divils," roared the judge, assuming the aggressive again. "Ye are worse than an endless chain o' kind-thought-great-happiness letters. No, it don't clear Jack o' Myers' murder. It don't clear him o' bein' a white man, or bein' an American, or bein' yer son nayther. But what th' hill's difference does that make? What I want to know is why haven't ye bonded th' b'y? An' tell me, where did this young smart, McQuirey, go?"

"I haven't the slightest idea. He took French leave last night."

"Not that I believe him implicated in th' murder nayther but then he might be mixed up in this Nightbird business. We don't know much about him."

"I am beginning to think that very likely."

"All right. To hill wid him for th' present. His bond is still up an' Carruthers is runnin' himself in circles huntin' for th' bondsman. Here ye are. Sign this paper for Jack, makin' yerself

liable for one thousand dollars in case he skips th' country. I made it as light as I could an' keep it lookin' right. Gimme Jack's gun an' I'll be takin' it to him. I'll send him home this evenin' an' if ye are so worried about him I'll assure ye that I'll send him *home*. Shut up an' sign. Sure an' I've enough of yer foolishness an' I've wasted quite sufficient time. 'Twill look better for his father to go his bond instead o' th' judge before whom he was arraigned."

Montague sat down and glanced over the paper. Wordlessly he signed and returned it to the judge who pocketed it carefully and bowed very politely.

"Thank ye, Sorr, an' good mornin'," he spoke in honeyed accents. "Ye are very kind an' gracious, ye — domned hard head." And he had to chuckle to himself as he heard Montague's laughter follow him out to the veranda.

He met the foreman of the ranch coming up the steps. Harrison's eyes widened the merest trifle as he saw the judge.

"Mornin', Judge," he greeted.

"Top o' th' mornin', Jim," Ryan responded, glancing down toward the corrals.

The two glum and disgruntled cowpunchers were gone. Instantly the judge turned and eyed Harrison. What he saw in the other's face caused him to swing quickly and look up and down the road. His eye caught sight of two minute trails of dust down Dallas Road toward the south. He bent a questioning gaze on the foreman.

"Where in hill are those two young fire eaters goin', Jim?" he demanded.

"Danged if I know, Judge," rejoined Harrison sheepishly. "They jes' stopped me as I was comin' by th' corrals an' told me I could give 'em uh week's lay-off takin' effect immediate or I could fire 'em, they didn't care which." He scratched the stubble on his chin reflectively. "They're purty good cowpunchers, Judge," he drawled.

"Humph! D'ye think McQuirey'll be glad to see 'em?"

Harrison started and eyed his inquisitor almost guiltily. Then he grinned slightly.

"I dunno. But they'll be powerful glad to see him."

"I have me doubts of them findin' him," commented Ryan. "He's wan slick divil. I don't understand all I know about him. But th' b'ys were in too big a hurry, Jim. Sure an' Jack is comin' home as soon as I can coax Maggie back to Lebanon an' Patty won't even know he's been in jail atall, atall."

The quick light of happiness that leaped to the foreman's eyes amply repaid the judge for all his trouble and warmed his old Irish heart all the way back to town.

"Whist, Jim," he said, lowering his voice. "Do ye notice any change in th' b'y lately?"

"Well, he seems uh bit more reckless than he did," hesitated Jim. "But I laid that on to bein' in love."

“I think that’s most o’ th’ story meself,” agreed Ryan. “Nevertheless, to be on th’ safe side, I’m thinkin’ there’s gonna be hill apoppin’ wan o’ these days. If there is, Jim, an’ blood must flow, do all of Jack’s killin’ for him. D’ye understand me?”

The grizzled old foreman, ex-plainsman and Indian fighter, solemnly held out his hand and the judge clasped it.

“We’ll show thot smart alec in th’ house some-thin’ yet,” growled Ryan.

CHAPTER XVII

AND SO DOES ANOTHER

THE moon had taken her station in the east and was on the wane, the upper right section having been eclipsed in almost a straight line, giving the odd impression of the brim of an invisible hat placed on her pate at a devilish, rakish angle.

The rolling, undulating open country surrounding the DZX ranch with its heavy carpeting of grasses and occasional thick stands of trees like stately groves of a Grecian classic and its swelling knolls and distant circle of mountains lay like a ghostly fairyland in the half-light.

The west and front sides of the various ranch buildings were in purple shadow and night reigned supreme over the country which modestly bared its face to the half revealing, half concealing light of the mistress of the skies. Hence, the unsuspected presence of a nocturnal visitor who exercised great care and secrecy was not surprising.

The man had left his horse in the gloom against the northwest edge of the ranch house, he himself creeping stealthily across the deeply shaded front veranda, hugging the wall of the house for greater secrecy. He gained the front door in silence and crept toward the windows of the living room.

Here, the shades were drawn and it was only upon close inspection that the prowler could detect the faint glow of a light behind the opaque curtains. The man returned to the door and tried the handle gently. It was barred on the inside. He bit his lip in vexation and scratched lightly on one of the panels. There was no response and he pressed his ear against the barrier to listen for sounds from within. Almost petulantly he flung back his riding cloak and drew a long, slim barreled six shooter from its holster. With the muzzle, from which the sight had been carefully and neatly filed away, he tapped lightly upon the glass.

At length there came a soft shuffling of feet and after a pause Sing Li opened the door. He blocked the entrance as solidly as his slight figure could and calmly held up his lantern to peer into the visitor's face.

He saw a well set up, swarthy complexioned man with brilliant and snapping black eyes. A saucy pair of crisply waxed mustachios pointed arrogantly upward. The stranger was attired in the fanciful dress of a Mexican fop; bell-bottomed trousers with neat "V's" laced with gold, fancy vest laced with the same cord, short jacket with lace cuffs, all of crimson velvet. A high-crowned ornamented sombrero, with engraved *chapa* and chin straps, sat roguishly on the back of his head. The riding cloak of rich material hung from his shoulders and partially concealed his wide car-

tridge belt with slender knife sheath on the left and tied-down gun holster on the right. Had it not been for the spots of grease on his vest, the dust which had caked in the wrinkles of his boots and the smell of sweating horseflesh about him the Oriental would have taken him for a bandit from an opera company.

The visitor smiled politely at the unblinking and inscrutable Oriental, a row of even white teeth contrasting strongly with his dark face and mustache.

"Wen one look through keyhole an' weesh to be unobserve eet ees best to put out light," he advised pointedly.

"No makee diff to Sing Li," informed the Chinaman calmly. "Me lookee, me see. You know me see. Velly fine."

The Mexican smiled and shrugged lightly.

"Senor Montegue—ees he still arise?" he asked softly.

Sing Li bowed his head gravely.

"*Bueno*. Put down thee light plees. I weesh to spik wit heem."

The Oriental merely glanced down at the visitor's gun. The latter smiled again, understandingly, and replaced his gun in its holster.

"To knock on thee door," he explained.

"Velly fine," finally endorsed the Chinaman. "Slip 'longside flont loom, me follow."

The Mexican quickly entered, showing his first bit of haste or impatience at the Oriental's slow

placidity by hastily closing and barring the door behind him. He listened for a long moment at the portal. Then, walking ahead of Sing Li, he paused before the door opening into Montague's living room and office and tapped gently on the panel.

"Sing Li?" came the clear voice of Bill Montague.

"You catchee Mexican man makee call. Allee same come in?" answered the celestial over the cloaked figure's shoulder.

"Very well. Admit him."

"Walk velly slow and makee no funny motion," admonished Sing Li as the Mexican turned the knob and entered the room, closely followed by the Chinaman with one arm tucked into the other sleeve.

Montague sat in an armchair before the fireplace studying a relief map of the surrounding country. He half turned and looked up. For a brief space he looked into the newcomer's eyes. Then his gaze traveled slowly over the other's fastidious costume, from sombrero down to the trim riding boots. His eyes widened the merest trifle as they took in the black cloak which hung from the Mexican's shoulders. He arose and faced his visitor.

"Senor Monteegee?" said the man with a rising inflection.

The rancher cleared his throat slowly. Then in a conventional tone:

"*Si*, Senor. *Es Vd. mejicano?*" (Are you Mexican?)

"*Si, si*, Senor," responded the other quickly and gaily. "*Hablas espanol?*" (You speak Spanish?)

"I do," replied Montague in English. "You are familiar with that tongue, yourself, I see. You wish to see me? Won't you sit down? Or will your—er—drapery interfere?"

"*Si*, Senor. I weesh to spik wit you in private," and he jerked his head slightly toward the immobile Oriental who had not removed his eyes from the newcomer since entering the room.

"You may proceed. Sing Li has been with me for years and we understand each other perfectly. That is the reason he has stood within arm's reach of you with one hand up his sleeve. Sing Li, I do not think I have anything to fear from—from——"

"Pancho Diaz—my name, Senor."

"——from Senor Diaz. Place another chair before the fire. Will you remove your cloak, Senor?"

The Mexican shrugged.

"I weel seet down. I weel retain my cloak," he said as he took the proffered chair. "Shall I speak in Spanish?" he asked in that language.

"You may. Sing Li understands Spanish, however."

"I weel spik Inglees," announced Diaz resignedly. "I have tell you my name, Senor. My oc-

cupation——” he shrugged gracefully, “—she
ees making *dinero*. I have come to talk wit you
on one bueness of importance to you.”

“Well?”

“You have eet ees a *vaquero* and a son who
have arrest for murder, *Si?* Thee sheriff he have
possession of thee knife which he use, *Si?*”

“Well?”

“You weesh thee public to know who really
keel thee station agent although they may not
suspect your son? You weesh to know thees thing
yourself, *Si?*”

“Well?”

“Pancho Diaz can help you,” said the Mexican
complacently. “But, *Senor*, eet ees you can say
something besides ‘well’?”

“Are you coming to me with definite proof?
I have a very strong suspicion as to what bunch
of shorthorns were implicated but I have no actual
proof.”

“Alas, *Senor*. I have no proof by your honor-
able courthouse standards, but I have eet ees a
way. You weesh to free your son.”

“For your benefit, *Senor Diaz*,” replied Mon-
tague impatiently, “let me inform you that my
son is upstairs in bed right now.”

The Mexican arched his brows in surprise.

“They allow you to make bail?”

“I still possess some influence,” said Montague.

“Ah, *bueno*. But for how long, *Senor?* And
thee stigma? She steel remain, *Senor.*”

"Well? What have you discovered?"

"I know who keel Myers and I know how, when and why," said the Mexican suddenly.

"All right. I'm listening."

"The murderer had a dummy—what you call—package in the safe and he call on thee agent at ten o'clock on thee night of thee nineteenth. Thee agent knew hees caller and he admeet heem and open thee safe heemself for thee package. Then—pfsst! He ees keel wit knife Jack Montague have lose, thee safe ees rifled, the package ees remove, and thee knife she ees leave. The charge, Senor. ees weak but thee evidence ees strong."

The rancher nodded thoughtfully.

"I had figured some such method of perpetrating the deed. You *know* it to have been done in this manner?"

"I do, Senor."

"Which one was it? Tell me, was it Owens?"

The rancher's voice grew edged, metallic, and his hands gripped the arms of his chair.

"No, eet was not Senor Owens. Nor yet was eet hees henchman Senor Carruthers," replied Diaz sadly.

"Merciful God," groaned Montague. "Tell me who it was then, man."

"Eet was Senor Carter."

"What! The gambler? Are you positive?"

"Si, Senor," responded the Mexican, calmly rolling a delicate cigarette and eyeing it with the

air of a symmetrical expert.

"Show me your proof."

"I have none," rejoined Diaz airily.

"Then what is your motive in telling me this?" demanded his host in complete exasperation. "You lead me to expect much and you tell me but little."

A heavy frown crossed the swarthy face, the little mustachios seeming almost to bristle with rage and indignation.

"*Carramba!*" he ejaculated, his rolling r's sounding like a snaredrum. "You would ask a Latin thees question?" He folded his arms and glared fiercely at the American. "Motive? A Latin may have many motives but they are all of one sex."

"Bah!" retorted the ranchman shortly. "Don't get melodramatic with me. If you can't prove Carter guilty I ask what you expect me to do?"

"Trap heem. Make heem confess. Then, Senor, keel heem or hang heem, as you weel," returned Pancho Diaz indifferently, proceeding to light the slender roll of tobacco that now passed his inspection.

"I can't do it. Some of us do abide by the law occasionally around here," said Montague caustically.

"*Es Lástima!* (What a shame!) You, *amigo*, are thee loser," rejoined Diaz coolly. "A scoundrel always has thees advantage—he goes ahead

wit hees schemes where thee honest man hesitate. Some day I hope to find an honest man who weel step across thee line of thee law for hees rights. He weel scare thee scoundrel to death."

"And he won't remain honest long, if he forms such a habit," added the other sourly.

"Perhaps not," shrugged Diaz, exhaling a cloud of fragrant smoke. "Me, I do not see anything so dishonest een thee suggestion I made you."

"It's trickery of the worst kind. And to insure success, very drastic means would have to be taken. Suppose a plot should result in the death of Carter and he should be innocent?"

The Mexican threw back his head and laughed lightly.

"*Nevaire*, Senor. Not ees such a thing possible."

"How do you know so much about it—without any proof?"

"I haven't been een thees country one thousand year—no. But what I see I know."

"Are you sure you can't tell something about another matter which is important to this country and to me?"

Diaz paused with his cigarette halfway to his lips and eyed the ranchman expectantly.

"You mean, Senor?"

"I mean Nightbird," shot out Montague. "Don't you know anything about him?"

The Mexican lazily finished the interrupted in-

halation of his cigarette, blowing the smoke out slowly through pursed lips.

"No," he said at length, "I have nothing to say about thee gentleman. One thing I tell you. Study well your map. I must go."

"Suppose I detain you on suspicion?" suggested Montague, suddenly smiling.

"*Detain me?*"

Pancho Diaz canted his head to one side and smiled roguishly.

"Why not? Surely you would furnish quite a tidbit for certain officials in Lebanon, I should say."

"Undoubtedly," admitted the cloaked dandy easily, frankly, and his black eyes lighted up devilishly. "But thee *buen* Senor jests. He would not deesarrange hees study and awake hees men just to hold poor Pancho Diaz, surely."

"No," admitted the other slowly, as if weighing the matter. "I don't believe I would. But it would be very comical, indeed, to turn you over to the sheriff in place of the cowpuncher who escaped him last night."

"Indeed," agreed the Mexican dryly. "*Mil gracia*, Senor. I weel go. You weel not settle matters wit Senor Carter?"

"I do not see how I can for the present."

"Alas! *Buenos Nochas.*"

"Good night. Sing Li, show Senor Diaz to the door—and let him go."

"Your pardon, Senor," murmured Diaz po-

lately, flashing the imperturbable Oriental a smile. "I come *in* thee door. I do not think we are disturb. Nevertheless, eef you weel put down thee lights for one moment I weel go *out* thees window here."

The host made a sign to the expressionless Chinaman. At once Sing Li turned down the lamp wicks and blew out the lights. With only the soft glow from the fireplace to light his departure the midnight visitor slipped lithely through the end window and was gone.

Montague lolled back in his chair, his eyes idly following the Oriental's slight figure as Sing Li proceeded to relight the lamps and stir up the fire the feel of which was becoming grateful at night. The ranchman ruminated over the queer interview. He understood much regarding the Mexican's call but in truth the discussion had been intangible. He was thankful that Jack had not been present and heard the accusation against Carter.

He frowned into the inscrutable yellow face whose owner so calmly poked at the fire.

"Diaz has done nothing but point out a certain man for me to hate, Sing Li," he mused. "A designated person for me to punish for the little station agent's peace of mind, and he gave me nothing to work with. The situation is not bettered a bit."

"Velly fine," nodded the Chinaman in sage agreement. "Bimeby mebbe business pick up. You holdum."

CHAPTER XVIII

MAC GREGOR GAP

PERHAPS forty miles due south of the DZX ranch, where Dallas Road wound up into the foothills, a wide cleft in the circling rim of mountains formed a natural gateway to Texas. There was a pleasantly high, wide plateau here from which one could look southward toward the Red River and the Texas border or northward into the rich and diversely productive valley of Richelieu County. The entire site of this high, wide place in the road had been appropriated by a red-faced, red-haired, fishy blue-eyed, broken-nosed individual who went by the name of Sandy MacGregor.

The man had settled down on this natural pass like a buzzard to his roost and in time the place had assumed his name. MacGregor Gap consisted of a good spring, plenty of shade, a continual cool breeze even in the hottest of weather, one exceptionally well stocked saloon and two long rambling shed-like buildings other than the whiskey resort. One building was an eating and sleeping quarters for two-legged animals; the other was for four-legged beasts.

Both structures set somewhat back from the road, toward one mountainside, so as not to de-

tract any traveler's attention from the saloon. It is highly probable that more than one of Sandy MacGregor's ancestors had been highwaymen or keepers of toll-gates as he experienced not the slightest qualm or twinge of conscience, nor yet great difficulty in plying his trade of stopping each and every traveler, who did not halt of his own accord, on one pretext or another. After the wayfarer had been cajoled, bullied, or talked out of a part or all of the wealth upon his person in exchange for food, drink, or lodging, whether needed or not, he was allowed to pass on.

As most of the travelers were men used to roughness and willing to spend money on thirst, and as very little murderous work showed on the surface, MacGregor Gap continued to exist and its owner to thrive. Aside from squatting on the property on both sides of the highway, running a business of unenviable reputation, Sandy MacGregor was noted for his cultivated Scotch burr and his fierce pride in the "bonnie hielands over-r-r-r th' sea" although he had never been any closer to Scotland than MacIntosh, Missouri.

There was a natural stone bench at the top of the rise looking northward and, after MacGregor's place became well established as a resort of questionable import, it became the custom for a keen-eyed watcher to sit here with his back against unyielding rock, a spyglass to his eye, and gaze out on the wide expanse of country toward Lebanon, Pelton, Weston and Licker-up. Needless to say,

the country south of MacGregor Gap needed no watching as the spot was comfortably on the north side of the state line.

It must have been four o'clock in the afternoon three days after the two DZX punchers had headed south on a hunting vacation that the solitary watcher on the plateau gazed long at a dust cloud that approached the foothills. He raised his glass and focused it down upon the disturbance. Through the lens he traced the wind-swept dust cloud far to the left, showing that the riders had come into the main road below the Rankin ranch. After a long scrutiny he slowly arose and strolled lazily toward "Sandy's Tavern."

He entered the long, low room which, for a saloon, was singularly clear of reek and smoke, thanks to the breeze and the open windows. Leaning against the foremost end of the bar the lookout rapped sharply for attention. Almost instantly he got it. The noisy place grew silent and several particularly villainous appearing patrons eyed him anxiously.

If the Mexican Dollar saloon of Lebanon could assay a high test of vicious human nuggets, Sandy's Tavern could easily have made affidavit to ownership of the mother lode of viciousness. A careful observer would have immediately checked off not less than five professional killers, nine horsethieves and treacherous petty scoundrels, and three murderers, not to mention the fact that they were all lusty villains and MacGregor

the most lusty of all.

"Anybody here wanna dodge two cattle punchers that look kinda like gunmen?" inquired the lookout casually.

"Wher-r-re they fr-r-om, Slim?" demanded MacGregor in his grating voice.

"Richelieu County. Travelin' light. Headin' south. Be here in half uh hour."

No one moved from their places. Two or three men glanced at each other and laughed.

"Guess they can coom along, Slim, lad. Dinna fash yersel'. Ye'll be seein' mor-r-re o' th' Rr-r-ichelieu puncher-r-rs in th' days to coom, I'm thinkin'. They might coom lookin' for-r-r a lost coo bar-r-rn or-r somethin'. D'ye ken?"

Slim "kenned" with a slight shrug of his shoulders and returned to his post. It was none of his business. He was paid for the keenness of his eye and not for the keenness of his repartee. His job was to watch the road and the rangeland and report. This he did and here his obligations ceased.

It was all of a half-hour later when the two horsemen topped the last rise and jogged onto the plateau of MacGregor Gap proper. The lookout was not in sight as they rode past the rock bench—being safely ensconced in a great crevice on the side of the stone away from the road—but their observing eyes noted the seat and the wide expanse of country the view commanded.

"Have uh peep at th' unfoldin' glories uh th'

range, Mister Matthews," offered Frank, making a congressional flourish with his arm. "Observe th' panee-ram-mic vistas uh beauty fadin' into th' distance like yore month's wages over th' tables at Lebanon. Note th' clarified an' rarefied view uh th' luxurious valley. An' speakin' uh Lebanon, yuh can almost pick out th' site—yuh can see th' thickness uh trees along th' river—an' that's close on to fifty miles."

"Not to mention uh sweet view uh th' trail jes' below us," added the other dryly. "I reckon they're expectin' us at th' tavern. I've heard uh th' place although I ain't never been here. Make sure yore gun is loose. Let's go an' be received, cowboy."

"One thing," mused Frank thoughtfully as they rode on to the saloon and tied their horses at the well-lined hitching rack, "they oughta know who's gone through here and who ain't. Gosh! I'll say holdin' uh reception for us."

They halted in the doorway and gazed carefully about at the pleasant company. They became the cynosure of all eyes, eyes hard with suspicion.

"Frank," murmured Curly out of the corner of his mouth, "if we was on th' road to Hell, I'd say this was th' halfway house."

"I think we've come more'n halfway," replied Frank soberly. "McQuirey wouldn't of never stopped here. He couldn't of been that tough."

"Then, if he went south through here, he went at night."

"If he come through atall."

"But he musta gone through some place," argued Curly. "We've done beat all th' trails south uh th' DZX an' they ain't nobody seen him. He musta gone through an' he musta been goin' fast."

"Well, this ain't no place to talk. They're gettin' restless 'bout us now. Le's sit down an' moisten up uh li'l."

"I'd rather stand up. I believe it's healthier," declined Curly. "Le's get outa th' door," and he sauntered in, casually leading the way to the near end of the bar and placing himself squarely at the end of the counter.

An ominous quiet hung over the place as the beetle-browed bartender waddled up to the newcomers and leaned heavily on the bar, leering at them suggestively. He set a bottle and two poorly washed glasses before the pair at a significant motion of Curly's. In the silence that held the gurgling liquid could be heard all over the house as Curly poured it.

Halfway down the bar was a fair complexioned, blue-eyed boy who was perhaps eighteen years of age. His features were almost classical in their regular beauty and his hands were slim and girlish. This gentle appearing product of the Southwest, this seeming child in the midst of such raw, quivering wickedness, this mere baby in this den of iniquity was known as "the Cherub."

The Cherub was a very precocious youngster,

being the most deadly and heartless gunman among those present. He had started his career at the age of ten when he had killed his father with a .22 rifle in return for a thrashing. Since then he had climbed steadily into prominence among the hardened element, becoming a young demon with his efficiency with a six-gun. It was rumored among the uninitiated that he was a lieutenant of Nightbird and that he had a strong craving for the leadership itself, and, were it not for the extreme youth of himself and the organization, he would have shot his way to its head ere now.

Whether or not this was true no one knew. In this at least Nightbird was excellent. He had certainly established and maintained a fair condition of secrecy. If true, it is doubtful if the Cherub could have lasted thirty days as a leader for, beyond his cold-blooded six-gun propensities, he was but a callow, inexperienced youth. Then, generally a regular killer has no real capabilities for leadership because of his utter incompatibility and his very lack of vision and imagination.

Due to this lack of reasoning and his bull-headed disregard for any and all consequences, the Cherub had established a very pronounced reputation for touchiness and suffered acutely from aggravated megalomania. It is probable, if rumor were true, that Nightbird foresaw a possible use for just such an irresponsible lieutenant who was such a gun-fighter but not a thinker. Ordinarily such a man makes a useless tool.

As Curly set the bottle down and Frank lifted his brimming glass the Cherub strolled easily forward. He halted several paces away from the two wary punchers and planted his feet squarely, hands swinging easily and lightly at his sides.

Calmly Frank squinted at his liquor, but acutely feeling the proximity of the man behind his back. He ignored the footsteps, depending on Curly who stood, one hand clutching his glass still on the counter, the other resting on his hip.

"When strangers comes in here it's uh general custom to set 'em up to th' house," drawled the Cherub softly and ominously, his clear voice as flawless as a young girl's.

Frank turned in surprise at the youthful voice, his face a mask of ludicrous surprise. Curly kept his gaze upon the youth.

"Why, hullo," said the former. "'Scuse me, sonny. I'll swear I didn't see yuh. Barkeep, yuh got any sody pop for my boy here?"

"Haw!" shouted a delirious soul seated at a crude table between two windows. Even in his cups this jovial rogue could appreciate such a refined, subtle jest.

A vivid flush dyed the Cherub's beardless cheeks. Besides all that he was and was not, being a youth, ridicule bit into his soul like acid. It seemed that he merely pointed his hand, so rapidly did he draw and fire, and the hilarious one lurched forward, his face a picture of pitiful surprise. Heavily, drunkenly he fell across the

rough table, knocking bottles and glasses to the floor in a series of tinkling crashes.

"Ah!" breathed Curly ecstatically. "Uh real live killer! Go on an' do yore stuff, cowboy, I got him covered. A even break wouldn't do you no good here atall."

Frank nodded slightly, never removing his eyes from the surprising youth before him. The Cherub flashed a scornful, burning glance about the room as if waiting for anyone to take up the matter and daring any one else to laugh. Not a person moved. The youth brought his gaze back to the man before him, shoving his gun back into its holster with an effortless flip.

"I surely begs yore pardon, Mister," stated Frank softly, a gentle smile on his lips, half-closed lids covering his hard, cold, merciless brown eyes.

His life was hanging by a thread, his life and Curly's, that he knew. Yet for this he had no thought. His mind was concentrated on the calloused boy before him. For carefree, jovial, easy going Frank was facing a type of being for whom he had no sympathy or mercy—a soulless killer.

"I begs yore pardon," he repeated. "I sure made uh *hi-ah* mistake. Yuh ain't no innocent infant. Huh uh! Yuh takes uh strong drink. Barkeep, trot out uh shot uh carbolic acid for this warm baby."

The Cherub seemed to twitch all over at this deadly insult. Before he could move, in fact almost before the DZX puncher ceased speaking,

a cold rasping voice came from the far end of the bar and the intervening barkeeper dropped flat on the floor.

“Dinna stir-r-r, Cher-r-rub, or-r-ye ar-r-re a dead mon. Bide a wee till yon laddie at th’ end o’ th’ counter-r lays his six-shooter-r-r up on th’ bar-r-r.”

CHAPTER XIX

A MEXICAN INTERLUDE

WITHOUT moving a muscle or by any means betraying the agitation he felt, Curly realized his helplessness with a sinking heart. Without looking down the length of the bar he knew that he was covered by Sandy MacGregor himself. It turned him sick to think that he had failed Frank, that he was forced to abandon him to the mercy of that young, smooth-faced killer. He was loathe to take his gun off of the Cherub, almost wishing that he could let MacGregor shoot him, if by that arrangement, he could still guard his companion.

In the stillness that ensued, while at least three minds were racing furiously, Curly slowly turned his head and met the ugly, close-set gaze of MacGregor. The harsh features of that villainous face burned themselves into the retina of his eyes. He read mockery yet utter ruthlessness in the saloon keeper's hard stare. They were trapped.

It was at this rather stressful moment that the slight jingle of spurs was heard and an immaculately dressed stranger stepped upon the threshold. He took in the situation at a glance. At sight of the two rigid punchers a wide smile of

slowly dawning recognition and delight crossed his lips. He swept his high crowned sombrero from his head and took a quick step forward, placing himself directly between the motionless killer and the tense cowpuncher who dared not take their eyes off of each other.

"Ah!" he exclaimed in joyous surprise. "Eet ees my *buen amigos*, Frank Henson and Curly Matthews. Senores, your frien' Pancho Diaz ees beside heemself wit joy. Comrades, I salute you. Nevair have I seen you seence that gala day een Vera Cruz. Where you have been all thees times? You leeve een thees country now, *si*? How long you have been here? Ah, eet seems but a day since—your pardon, Senores. Thees ees my frien' thee Cherub. He ees thee best and queeck-est shot een thee entire Southwest—and that ees one grand compliment among thee so good marksmen here. Cherub, thees are my frien's, Senores Henson and Matthews. What you do? Haze my frien's? For shame."

Curly relaxed gently and leaned against the bar. The strain had been great and the sudden release found him curiously weak. He took in the newcomer without moving his head. He saw a slim and graceful Mexican—a Mexican that he had never seen before in his life.

Frank was undergoing the same bewilderment but he faced the new arrival without batting an eye. A delighted smile appeared upon his face and he simply radiated surprised pleasure.

"Pancho Diaz! Yuh slick rascal, yuh. How glad I am to see yuh."

"Ah!" the Mexican returned the smile. "I knew you would nevair forget your poor frien'," he beamed happily. "Senores, let us dreenc. What you do, my frien's? Where you go from here?"

"We're workin' for th' DZX outfit up near Lebanon," responded Frank. "We're ridin' south just now——"

"Ah!" exclaimed the Mexican, tilting his head to one side and laughing knowingly. "What you have done now, you sly dog? Betray your employer's daughter or dreenc up hees best wheeskey?"

And he poked Frank roguishly in the ribs, laughing heartily, a number of the listening ruffians joining in at the coarse jest.

"No," corrected Curly, grinning. "We're after uh fellow that did."

"Jealous, eh?" interrogated Diaz. "'Tees thee same old Curlee."

"This fellow was slender an' good lookin' an' had th' gift uh gab an' was ridin' uh coal black hoss with th' DZX brand," described Frank, recovering his poise.

"Ah, thee rascal! And he ees going to thee Texas?"

"We don't find any trace uh him so far."

"What one grand pitee! Let us dreenc, Senores. Eet weel help us to theenk," and he linked

arms companionably with the Cherub and Frank, pressing and pulling them with sociable intent up to the bar.

The very outrageousness, the unprecedented brazenness of his action in introducing two gun-fighters to each other just as they were ready to blow each other into eternity, coupled with the lack of rapid mental action on the part of the Cherub, carried over the lethality in the atmosphere. The Cherub faced the bar reluctantly; but he faced it, and slowly the spellbound denizens in the background came forward, all save that one still figure sprawled so grotesquely and so quietly over the table.

"Yeah," grunted Curly. "Belly up, men. Th' drinks is on us. Le's all drink carbolic acid. Barkeep, git up offa that dirty floor an' dish up yore strongest he-man poison. Who'd uh thought uh meetin' Pancho here? We thought yuh was still dodgin' th' rurales down in Mexico. Yuh remember that night th' three of us beat up th' police force, Pancho?"

"*Si, si.* Thee Senor has thee very great memory," laughed Diaz reminiscently, loosening his riding cloak and letting it slide from his shoulders, catching it behind him dexterously with one hand. He raised his glass quickly and pounded on the bar for attention. MacGregor himself assisted in waiting on the long line of drinkers and then all faces turned toward the Mexican.

"Senores! A toast to my old frien's here. To

all merry hearts and bold hands wheech take that wheech ees not given freely; To all gay dogs, bold lovers, and fierce fighters; To one who ees not wit us een daylight."

"Uc-oh!" murmured Frank. "Nightbird, sure as _____"

"Shut up an' drink," whispered Curly tersely.

The toast electrified more persons than Frank. It stirred even the smouldering Cherub. Every right arm was raised and raw spirits trickled down leather-lined gullets. Curly set his glass down and clutched at the bar, fighting for breath.

"Wow!" he finally managed to gasp, and the Cherub smiled disdainfully as he put down his glass without a grimace.

"What's th' matter-r-r, laddie?" inquired MacGregor solicitously. "Would ye like to weaken it a wee bit?"

"Weaken it?" gagged Curly. "Brother, th' Pacific Ocean couldn't. I need relinin' with fire-clay."

This sally brought forth rude shouts of laughter. Good humor was completely restored. The tears came to Frank's eyes as he returned his own container to the bar and he could not control a slight whiskey shudder.

"Now, about your fugeetive, Senores," resumed Diaz conversationally, not allowing too long a silence. "Me, I can tell you nothing about your man. Weel you describe heem carefully?"

Frank complied with a good description of

McQuirey. From the various effects his words produced he knew that more than one man present had seen or heard of the talkative puncher at one time or another, probably over the affair of his arrest for murder.

The Mexican's quick, black eyes moved from one face to another as Frank talked, as if seeking information for the two punchers. His lean, dark face radiated sympathy and his little mustachios seemed almost to droop despondently when there was no response. He turned to MacGregor with an eloquent gesture of his hands.

"No mon o' that deescr-r-ription ha' passed thr-r-ough MacGr-regor-r Gap," the saloon keeper asserted positively. "An fur-r-rther-r-mor-re, we ha' not seen a black hor-r-rse for-r weeks."

"*Tck! Tck!*" clicked Diaz through his teeth with his tongue. "Eet ees thee great pitee. Weel you go on, Senores, or weel you be returning?"

The two cowpunchers looked at each other. MacGregor might or might not be lying. This Mexican dandy might be leading them astray for all they knew. But if McQuirey had gone on, they would never catch him north of the Texas line now. If he really had not passed through the Gap, there were miles and miles of country within the circle of mountains that they had not yet covered and where the fugitive could easily be hiding, not to mention the many other roads and trails which led out of the valley over the mountains.

"I reckon we'll be siftin' on back," said Frank slowly. "Yuh ain't ridin' our way, are yuh, Pancho?"

"I have thee great sorrow, but I cannot. Perhaps," and he winked broadly, "I weel come and see you before thee very long time and maybe we weel ride together like before, *si?* Don't forget Vera Cruz, Senores. Come! I weel go wit you to the horses."

"Here, barkeep," called Curly, spinning a twenty dollar gold piece down the bar to the evil-looking attendant. "Take yore change outa that an' if they's enough left, set 'em up to th' house again if th' stuff won't set th' place on fire. An' for goodness sake, git that sawdust outa yore eyebrows."

"Gents, howdy. We might come back for uh longer spell with yuh one uh these days. We ain't been run outa Lebanon yet though an' we're still ridin' easy on th' range," and he too winked broadly at the company inclusive, having taken his cue from the insinuations of the subtle-minded Mexican.

Sandy MacGregor nodded his head in a mirthless grin and motioned a couple of men to the dead man at the table. As the two punchers went through the door they saw the Cherub calmly push the unfortunate man's body to the floor and occupy the vacated seat.

Pancho Diaz walked beside their horses to the rock bench which as before was vacant, this time

because of the descending dusk. Here the punchers made as if to pull up their ponies and ask their debonair protector a flood of questions which fairly burst their skins with curiosity.

"Don't stop, Senores," the Mexican forestalled them coldly. "I reesk my life and my standing wit MacGregor to save you. You played up to my leads grandly, but I must do some *muy pronto* explaining when I go back. Ride fast, ride queeck, and I weel stand here unteel thee night she protect your backs."

"But, say——" began Frank.

"But nothing, Senores," interrupted Diaz shortly. "Eef you owe me thee obligation for my so poor assistance you weel repay me by going now."

Wordlessly the two unsatisfied punchers spurred their mounts downward into the gathering night. Twice they glanced back and after the Mexican's figure was obscured in the darkness they saw the calm glow of his cigarette staring unwinkingly down at them.

"Pancho Diaz!" exploded Frank at last. "Vera Cruz! Vera Hell! I never seen that greaser dude before in all my whole put-together."

"But yuh was sure glad to see him this evenin'," added Curly. "An' so was I."

"Vera Cruz!" reiterated Frank disgustedly. "The' only Vera I can remember had red hair and danced at th' Bright Star saloon. Curly, they sure is somethin' fishy 'bout th' whole business."

First, where'd this spig come from? Did he come up from th' Texas side? Naw, he couldn't of jes' arrived. They knowed him up there. 'Course I'm glad he stuck his snoot in jes' when he did an' like he did, but he wore uh black ridin' cloak an' he talked awful damn funny. Curly, I betcha that feller is Nightbird. Only——"

"Cowboy," interrupted Curly abruptly. "Git goin'. I stepped off over my head three or four miles back."

CHAPTER XX

A CHINESE SOLUTION

IT ALWAYS afforded the DZX punchers great merriment when Sing Li dressed to go marketing. Although the DZX ranch boasted a provision storeroom that rivaled the stock of many a retail store there were occasional shorts on the want list that were purchased in smaller quantities than flour and sugar. Hence, it was the steward's custom to make bi-monthly trips to Lebanon for delicacies.

He invariably wore his loose-fitting jacket of yellow. His cue, which he wore in a long, hanging braid on the ranch, he always wound tightly upon his head and covered with an old battered Stetson hat. His soft, heel-less house slippers he would regretfully change for a pair of rubber overshoes. He topped the whole attire with an old opera cloak that had been discarded by Montague's wife many years before, after finding out the status of the Muses here in the Southwest.

Because of confectionery favors the punchers would fight for the privilege of hitching a team to the buckboard set aside for Sing Li's use whenever he appeared before them in such a garb. Then, however, they would all gravely form a critical double line to the buggy, and, walking

through a perfect barrage of pointed comments and suggestions, the Chinaman would calmly take his seat behind the horses and go bobbing down the road looking for all the world like an anachronistic nightmare.

On the morning following the visit of the Mexican to Montague, Sing Li surprised the men by appearing before them in his official regalia at breakfast.

"When catchee bleakfas' some good lilly boy want cakee? Velly fine. Hitcher team flo Sing Li. Allee same eatee cold lunch Sing Li fixee good suppee. You likee? Yes. Velly fine," conversed the Oriental blandly.

The elder Montague had not come down to the chuck-house for breakfast, Sing Li having served him before donning his formal dress. Jack, who was rising from the table in company with the foreman, turned to eye the yellow man.

"You just went to town last week," he commented suspiciously. "What are you going in for today?"

"Havee implotant business. Catcher gleen gloc'lies flo cowboys. Keepee off scluvy. You savvy? Yes. Velly fine."

"Now see here, yuh crazy chink," stated Harrison, swinging the slight form around and gazing into those polished and uncommunicative mirrors of jet, "if yuh go and get your danged yellor hide in some kind of Oriental trouble on top of what's stewartin' up now an' we have to come in for yuh,

I'll be pretty danged mad. *You* savvy?"

"Velly fine," smiled Sing Li blandly. "You want hitchee team?"

"That beats me," said Harrison wearily as he watched the bobbing heads of the pair of horses the Chinaman drove going along the road. "First one and then another has uh streak of insanity. Now th' yeller chatterbox is off his base an' we ain't got no cook. I won't be surprised if I see th' cows flyin' 'round th' treetops by mornin'."

Jack smiled sympathetically.

"Let's go up to the house, Jim," he said, "and talk with Dad. We can at least tell you why I went back to Lebanon with th' posse night before last."

The first stop Sing Li made was at Fielding's Wholesale Produce Company where he tied his team with an intricate knot.

"Fillum up—cabbage, fluit, gleen stuff," he waved from one of the clerks to his wagon. "You savvy?" and he shuffled off down the street.

Going directly to the courthouse he hobbled up the short flight of steps to the first floor and began looking for Judge Ryan. He found that individual just closing morning court. He stood at the door until he caught the judge's quick eye and then bowed gravely, pointing toward Ryan's adjoining office behind the judge's bench. Withdrawing, he shuffled down the corridor to the room in question.

"Why, hello, Sing Li," greeted the legal arbiter of Lebanon when he came upon the patiently waiting Oriental. "Sure an' what brings ye in to see me today? Ye want to import a dozen wives?"

"No, thankee, Judge. Catchee plenty tlouble alleady. Clooks bad. No needee cooks. Mebbe Judge Lyan want catchee clook who kill station agent Myel? You makee Sing Li think so when you talk Misse Montague."

"Ye're domn whistlin', me b'y," concurred the judge heartily. "I'm achin' to get me hands on that gintleman."

"Velly fine. If Sing Li finde and catchee, you takee?"

"Ye unconverted haythen, ye! What's goin' on behind them black eyes, I wanta know. So ye've decided to take a hand in th' game yerself, eh? Sing Li to th' rescue! Sure, an' I'll slap th' spalpeen in jail so quick 'twill make his head spin."

"Sheliff no letee get away?" queried Sing Li anxiously.

"I should say not," snorted the judge, "Not if I get my hands on him. I'll hang him for good measure too. What d'ye know, Sing Li?"

"Makee allight? Mebbe Sing Li—yes. Sing Li fixee. Sing Li pletty well know who killee Misse Myel. No ploof yet. Sing Li finde. Makee fight. Catchee plenty ploof. All kind of talk-talk. Some thinkee this, some thinkee that, mebbe somebody leally know. Yet no can plove.

Sing Li know, too."

"Just what d'ye mean, exactly?" frowned Ryan, leaning forward and studying the smooth, placid face before him.

"Sing Li *know*," explained the Chinaman patiently. "Yet, no got ploof. Me findee clook—makee mad—fight. If Sing Li light, makee confession. If Sing Li long—" he shrugged "—po' China boy."

The judge turned his gaze up to the ceiling, a startled expression on his features as understanding grew upon him. He looked askance at the Oriental, yet he could not withhold his admiration.

"I'm domned!" he exclaimed. "Ye've got to walk careful, Sing Li, me b'y. This is a white man's town, y'know. Ye are not in th' heart o' some Chinese temple."

The little yellow man nodded slowly, closing his eyes in complete understanding.

"Who is th' man, Sing Li? And how did ye figure it out?"

"Judge Lyan no wolly. Sing Li think. Pletty soon findee smalt man think allee same Sing Li. Then Sing Li know. Now catchee."

"All right," smiled the piqued judge sweetly. "If ye are so domned smart, go 'catchee' an' I'll take charge o' th' culprit."

"Judge no get angly with Sing Li," soothed the Oriental. "Sing Li tellee. You savvy Missee Caltel? Findee at Texas Hotel, at Mexican

Dolla' saloon mebbe. You savvy him?"

"Caltel? Calt—Oh, ye mean Carter? The gambler? Is he——?"

Sing Li nodded and the judge pursed his lips thoughtfully, frowning as his mind went back over the past weeks, seeking to dovetail unconnected bits.

"Now Judge Lyan findee and sittee in back of saloon. No wolly, Sing Li findee too. Then Sing Li come in and—Judge Lyan see evelything. Judge bettee go now. You savvy? Yes. Velly fine."

And without further parley he turned and shuffled out.

"Sure an' I'm domned," ejaculated the dumfounded judge. "What's all this poppy-cock I hear about th' circumlocution o' th' East in comparison wid th' direct methods o' th' Occident? Sure an' that man didn't know Sing Li. An' since when did ye start takin' orders from a yeller haythen, Michael Ryan? Sure an' this amounts to nothin' more nor less than bein' accessory before th' fact. Sure an' what th' hill do I know about that?"

The Mexican Dollar saloon had two bids to make for fame and fortune. First, it was the first wet spot just off of Dallas Corner and therefore drew a goodly number of patrons from among the punchers, prospectors, and floaters who housed their mounts in the sheds and corrals which occu-

pied the corner site and extended out Dallas Road for several hundred yards. In short, it had first chance at their money.

Second, the Mexican Dollar shared with the Bright Star the distinction of being the only two saloons solely and admittedly owned by Mr. Horsehead Owens. That he may have held controlling stock in other like establishments was easily probable, but these two places were his particular pets. They differed in management, in appearance, in operation. They were designed to do so. The Bright Star was operated luxuriously for the élite; the Mexican Dollar for the *bourgeois*.

Because of its location the Mexican Dollar was never quiet, was never empty. Life, mankind rough and ugly, crude and humorous, cruel and gentle flowed constantly between its doors. Because of the continuous uproar a head bartender of perfect equanimity was a prime requisite. Such a one was "Dutch Pete," stolid, imperturbable, emotionless.

Mr. Carter, the gentleman of sinuous grace—both mental and physical—stood at the rear end of the bar, facing the front of the saloon. There was a quart bottle and a small glass beside him.

And he was doing that which no gambler and particularly Mr. Carter should do. He was getting drunk.

His was that temperament which plunged into the depths of despondency under the influence of

too much liquor. He became utterly silent and still; an unshakeable melancholy would claim him. In this condition, with his habitual steady nerves and reptilian grace, he seemed more like a snake than ever—like a rattler that has just shed its old skin and is viciously irritable because of the scales still covering its eyes.

Carter was drinking neat whiskeys with the precision of clockwork and watching the service of Dutch Pete with gloomy eyes. He was oblivious to the jeers, the noise, the raucous laughter of the place. He heard nothing. The only things that lived about him were his whiskey hand and his eyes. A Choctaw Indian was relating an experience with such painful lack of humor that his story brought shouts of hoarse laughter that left him unmoved and which Carter did not even notice.

“Huh? Accident?” the buck was saying. “Heap queer. No unnerstan’. Johnny Roastin’ Ears buyem bike-cycle. Takum long time mebbeso learn not fall off. Johnny learn. One day takum big bottle hooch—one quart, mebbeso half-gallon. Takum big drink. Ugh! Johnny feel good. Go takum long ride. Hop on bike-cycle an’ push on stirrup. Run jes’ as smooth. Heap fine. Ride long time down road. Stoppem. Takum big drink firewater. Jump on bike-cycle. Ugh! Heap fine. Run like lopin’ pony. Johnny Roastin’ Ears feel fine.

“’Long mebbeso pretty soon stoppem ’gain.

Takum 'nother big drink firewater. Damn good hooch. Climb on two-leg machine an' go. Ugh! Ugh! Heap wonderful. Jes' as smooth. Fly like bird. Pretty soon Johnny see big bridge come runnin' uppum road. Johnny no lettum bridge run over him. Turn out quick. Ugh! Get jes' as wet. Wakum up in hospital."

During the slapping of backs, shouts, and poundings on the bar that followed the grave-faced Choctaw's dénouement, a weird appearing little figure in battered old hat and antique opera cloak convulsed with laughter and backed into the gambler at the end of the bar just as Carter was raising his brimming whiskey glass. The liquid spilled all down the front of the man's immaculate shirt, the glass shattering on the floor.

It needed but such a trifle to cause the snake to strike.

Without even a curse Carter reached forward and clutched the clumsy one's cloak collar. His eyes glittered evilly and his slender fingers crooked like talons as he swung the other around, lifting the small figure completely off its feet by bracing himself against the bar. A flicker of surprise, of inimical joy crossed his eyes as he recognized the timid and apologetic features of Sing Li, steward of the DZX ranch.

"You!" he whispered hoarsely. "You dirty yellow chink, you ruined my silk shirt. Damn you, take off your own jacket, wet it and clean my shirt. Quick! D'you hear?"

And he assisted in preparing the Chinaman for the menial duty by ripping the cloak from the narrow shoulders and flinging it to the sputum-covered floor.

"No can do. No can do. Missee Caltel 'scuse Sing Li," moaned the frightened little Oriental. "No mean luin clothes. Sing Li buy shilt flo Missee Caltel."

"I said to take off that jumper and clean my shirt," hissed Carter. "*Pronto.*"

The other noises of the saloon subsided as the little drama unfolded. A bulky but inconspicuous individual hidden behind his paper at one of the rear tables quietly put down the news sheet and leaned forward intently.

"No can do. No can do," wailed the Chinaman. "Sing Li no washee woman. Sing Li velly solly. Missee Caltel 'scuse China boy. Sing Li buy new shi——"

The gambler reached forward and snatched the old hat from the Oriental's head. Sing Li's cue tumbled down in a long thick braid.

"Take off your hat when you address me, you yellow nigger," snarled Carter furiously. "Now, take off that shirt and get busy."

The Chinaman stood still, wringing his hands together helplessly. The poison of the whiskey mingled with the poison at the gambler's heart's core; and that horrible desire to hurt, to torture, possessed his soul. With a swift motion he leaned forward and slapped the cringing figure across the

face with his hand, a stinging, biting blow that snapped the Oriental's head back.

An immediate change came over the yellow man. His figure straightened and his arms folded across his chest, one hand in each sleeve. An air of dignity mantled him and his black eyes bored into the inflamed and narrowed pools of cruelty set in Carter's face. He spoke, choosing his words carefully.

"To think Sing Li, son of so many honorable ancesto's, live to see the day a white dog lay hands on him. White man, you allee same dog and son of dog. You claven clook."

Instantly the killer flame leaped high in Carter's eyes. His face drained white at the acid insult. He licked his lips as if to moisten them for speech that would not come.

"Son of pig ancestors," he stated in a hoarse, insulting voice, summoning his neglected education to phrase an insult more deadly to an Oriental than mere Occidental curses, "you are going to die. Is there anything you want before the buzzards pick your filthy bones and coyotes howl over your dishonorable grave?"

The white man had all of the advantage and no one knew it better than the Chinaman. Any negro, Indian, or Asiatic who dared to lift a finger against a white man without having been half-killed first and having ample reason besides, even then, could assure himself of a pleasant necktie party. Sing Li comprehended all this. He had

known beforehand that he would need a white protector, regardless of right or wrong.

In deliberately crossing Carter there was a decided peril for the Oriental. Carter was exactly like a snake. He was not one of the physically brutal type who like to mutilate before killing, thereby giving their victim a chance to strike back. The gambler would not play with Sing Li. When he decided to strike, he would shoot once. He would shoot to kill—and Sing Li would have to let him take the initiative.

As calmly as though all this were not so, as though he were watching frying batter over his cook stove, Sing Li stared steadily into the cruel, exultant eyes before him. He did not open his lips until he saw that Carter was tensed and about to draw. The East had not taught her sons to think, to observe and to calculate even the last grain for naught.

There was a complete hush; no one seemed to breathe as they waited for the Oriental to precipitate his own demise. Then Sing Li spoke suddenly.

"Yes," he announced clearly, his voice carrying to every corner of the saloon. "I want to know *why* you kill the station agent."

Carter started violently. The movement which he had intended should line his gun upon the yellow man's heart was false. His revolver barked and an ugly red streak appeared as if by magic upon Sing Li's left cheek and scarlet blood

began to trickle slowly down his face.

The Chinaman's right hand flipped out of his left sleeve and pointed at the other's breast in an imperious gesture. Everyone gazed at the dignified form of the celestial and waited for the second shot from the gun of the accused gambler. It never came.

Carter gasped and caught at his throat convulsively. He swayed and clutched at the bar with one futile hand. Gurgling horribly he fell heavily to the sawdust-covered floor, falling, fittingly enough, upon the Oriental's cloak. A keen stiletto quivered in the little hollow at the base of his neck, having pierced both bow tie and collar in its passage.

As realization dawned upon the stunned crowd they set up a mad, sullen roar.

"Git uh rope! Git uh rope!" was the predominating cry as they surged forward.

Dutch Pete froze in the act of pouring a libation of whiskey, the liquid running out of the overflowing glass and spreading in a golden pool over the bar, his astounded eyes on the Chinaman—he could not see the stilettoed gambler on the floor. The yellow heathen had worked some Chinese magic. And for once Pete's placid equanimity was shaken.

There was a bull-like bellow, and the bulky figure at the table heaved itself up and sprang forward.

"Not wan single step farther, ye domn spal-

peens, or I'll give ye thirty days for riotin'. Sure an' I saw th' whole shebang an' right here an' now I'll pronounce this Chinaman not guilty."

The bottle dropped with a crash from Dutch Pete's nerveless grasp.

"*Gott im himmel!*" he guttured. "Der Yudge."

The fiery old Irishman faced the potential mob angrily, his unquestioned authority holding them back where guns could not.

"Sing Li, me b'y," he said, turning to the Oriental, "th' back door is unlocked. Ye better haul yer freight out to th' ranch an' stay hauled till I make these idjuts see a little reason."

"Misse Caltel wishee speak," rejoined Sing Li imperturbably, pointing down to the dying man.

With a quick exclamation Judge Ryan knelt over the gambler. He made as if to reach for the knife.

"No—don't pull out. It'll drown—me. About Myers——" whispered Carter, and the judge and Sing Li bent close to catch the words. "About Myers—chink is right. I killed—him. Left young Montague's—knife as—clue. It—is—big—deal. Whiskey—got me. Makes mean. About scheme——" he ceased, gurgling unpleasantly.

A hairy hand had reached down swiftly and jerked the knife blade from the confessor's throat. Carter jerked convulsively and the blood gushed

forth in a regular jet. His eyes rolled wildly. He opened his mouth widely to speak, and he strangled on his own blood.

"Hill's bills an' sivin divils," roared the judge, starting up. "What misbegotten imp grabbed thot knife?"

There was no response save for a surly shifting of feet as he glared around the close semicircle of faces. Owens suddenly pushed his face forward.

"Hal Brewer an' Horsehead Owens, ye heard th' dead man's confession," spoke Ryan aggressively to the first men he readily recognized.

The man Brewer nodded silently. Owens looked at the judge for an instant and then spoke:

"Just came in. Didn't see it all. Carter admitted killing agent, though."

"Then ye seen enough," snapped the judge immediately. "Wid me an' Sing Li here that makes four of us. Don't any o' th' balance o' ye roughnecks ever try to swear any different in my court—if ye want to continue to reside in Lebanon. I guess I'll be goin' wid ye now, Sing Li."

CHAPTER XXI

TO CAPTURE NIGHTBIRD

IT WAS four nights later that a pair of weary cowpunchers rode up to the DZX corrals and dispiritedly flung themselves from their saddles. A hubbub of noise from the chuck-house beckoned them to a hot supper.

"Dang, but I'm tired, dusty, an' hungry," grunted Frank. "We been gone five or six days for nothin'. We ain't done nobody any good. Le's go eat."

"Wait. They's uh light up at th' house. Le's go see if Mister Montague feels any different now. Mebbe we can convince him."

They went up to the quarters of the Montagues and entered. The rancher was alone in the big living room, standing with his back to the fireplace, an intense and thoughtful frown on his face, a square of paper in his hand. His eyes lighted up at the appearance of the weary punchers.

"Howdy, boys," he greeted. "Have any luck?"

"Naw," responded Curly disgustedly. "That slim cowpuncher sure musta burned uh hole in th' horizon gittin' away from here."

Montague smiled slightly.

"Mister Montague, what we has come to see yuh about," began Frank slowly, hesitantly, "before we go to supper is——"

"Haven't you been to the chuck-house yet?" interrupted the rancher.

"Naw, sir."

"Good. Go ahead."

"What we come to see yuh about," faltered Frank again, "is why yuh thinks Jack might be guilty uh any such doin's in Lebanon as would remotely connect him with th' stuff Carruthers was claimin'. Yuh oughta know they's somethin' crooked 'bout it. Ain't they anything we can do to prove it to yuh? Didja git Jack back home yet?"

He fell silent under the rancher's steady gaze. He shifted his feet uncomfortably and twirled his hat unhappily. Curly's face assumed a set expression as he stared vacantly at a spot two feet above the ranchman's head.

"Who gave you the impression that I considered my son guilty of anything?" at length asked Montague in a cool, level tone.

"Nobody, nobody," gulped the miserable puncher hastily. "But yuh talked so funny that night an' yuh made Jack go on to town with th' sheriff even after he done showed his knife."

"Yuh see how it was, Mister Montague," interposed Curly soothingly. "We didn't want yuh to do no misjudgin' an' so we went huntin' for McQuirey."

"Do you hotheads realize that if I hadn't done something that night that there would have been gunplay? And that, regardless of what we think of Carruthers, we'd have been resisting the law, and Judge Ryan would have been hard put to help us?"

The two punchers considered this for a space.

"Why hunt McQuirey?" continued Montague relentlessly. "Do you consider him guilty of this murder? Do you think I'd have kept him if I had thought so?"

"Huh uh," they admitted.

"Well?" said the rancher sourly.

Curly squared his jaw and looked his employer straight in the eye.

"Well, we didn't see no use in him slippin' off an' leavin' Jack to face th' music, if yuh wanna know."

"I see," grunted Montague heavily, but he smiled and the two punchers felt more at ease. "You boys left too hastily, though. Jack came home the evening you set out on your Quixotic pilgrimage. I bonded him, of course. Why, even Judge Ryan didn't wait until I went to town to do it but brought the bond out here for me to sign. The very next day Sing Li went to town and had a clash with Carter the gambler and killed him in self-defense. The fellow confessed to the murder just before dying.

"Now you want to know if you can do something. Jack is completely exonerated and so is

McQuirey. Yet, you can help. Late this afternoon Jim found three stray, unbranded yearlings out on our range afflicted with blackleg and running with our herds. And here in my hands I hold a brief note warning that the Lebanon National Bank is to be looted tonight."

"My gosh!" whispered Curly, awestricken. "We ain't been nowhere an' we ain't seen nothin'."

"Ain't it jes' our luck?" moaned Frank.

"Don't feel so sorry for yourselves. You haven't missed it all by a whole lot. You say that none of the boys know you have returned as yet?"

They shook their heads in unison, indicating that Montague was right.

"Good. Wait here while I go tell Sing Li to bring your suppers up here quickly and quietly."

The ranchman stepped out and the two punchers sat down eyeing each other like inquisitive roosters. When he returned they swung to face him like two mannikins on the same string.

"Now then, boys, listen attentively to me," Montague began seriously. "You know what blackleg means if it takes hold in our stock, besides which it will pollute the ground permanently. We've removed the sick calves but there may be more. Somebody may be bringing in more. We've got to stop the trouble before it starts. Tomorrow we will begin to inspect the entire herd. Tonight we start a guard at night herding. That this is an attempt—a rotten attempt—of some agency

to wipe out the DZX herd and ruin the ground I do not doubt. We must guard against this on one hand and against Nightbird on the other. By the way, the rustlers killed one of Perth's punchers in a raid last week. Because of this we simply cannot go to Lebanon on the strength of this note. I have reason to believe this to be a genuine warning, but it might be a ruse of some kind. Now, if I send some of the boys they'll all want to go. I can't spare them. Do you get the idea?"

"Yuh betcha," beamed Frank, his weariness completely forgotten. "You want us to go to town an' see 'bout this bank robbin' business."

"Precisely. You will ride straight to Judge Ryan's home and present him with this note and an explanatory letter which I will write and you will hold yourselves under his instructions. Further than this, don't talk to anyone about anything. If we keep silent we will probably be able to trace this blackleg trouble to certain parties in Lebanon.

"Report to me tomorrow if this robbery is attempted, if Nightbird heads it, and if you capture him. Is this clear? Very well. And one thing more. Don't stop at Blaine's as you go in. Jack is there and I don't want him to know anything about this. I have other work for him to do."

The soft-footed Sing Li entered, bent nearly double under a great tray. He placed the food on the table before the two ravenous punchers. They looked up at him and the little patch of court

plaster on his cheek enviously, and he solemnly winked at them.

For a space there was but the sounds of hungry men putting away food and the *scratch* of a pen from Montague's desk. At length the rancher arose and folded the two papers together.

"I'll go down and saddle two fresh horses for you while the boys are still in the chuck-house," he said, placing the notes on the table before them.

The two punchers wasted no time and scarcely an hour had elapsed before Judge Ryan was reading Montague's letter. He grew almost apoplectic.

"Hill's bills an' sivin divils," he ejaculated. "Wait till I get me shotgun, ye spalpeens. We'll shake together a private posse thot'll make Nightbird sick at his stomach entirely."

The quaint trio quietly made the rounds of the homes in Lebanon which the judge selected and very shortly a conclave of men assembled at the big wholesale house which stood diagonally across the street from the bank and which, it might be added in passing, was one of the few big buildings and businesses that Owens the aggressive realtor did not own or was not interested in.

Briefly Judge Ryan explained the situation, assuming full responsibility for their collective action.

The men deployed around the dark bank building quickly, to the intense relief of President Klein. Three of them took up their stations at

the front windows of Fielding's Wholesale Company's second floor in company with the owner of the business. Two men were told to watch from the side windows of the retail store directly across the street from the wholesale house and therefore across the side street from the bank itself. Three men hid themselves in the alley behind the banking institute. Three more of the posse were detailed to conceal themselves amid the rubbish heaps behind the saloon on the west side of the bank. Curly, Frank, the judge and the bank president quietly entered the building itself when the street was most deserted, slipping in and locking the door behind them.

The plan agreed upon was for the four men within the bank to surprise the looters while the cordon of citizens without drew closer in, capturing any bandits posted outside and preventing escape on the part of any who might elude the guard awaiting them in the bank. To cover all possible contingencies Judge Ryan had given emphatic instructions anent certain time-proven advice—if necessary, to shoot first and ask questions afterward.

"Sure an' now then we're ready for th' haythens," grunted Ryan as he settled himself heavily in a front corner, his overloaded shotgun across his knees.

"Let 'er buck," Curly rejoined happily.

The bank president said nothing. He felt that he had very little say coming. He appreciated all

that was being done but he felt somehow as though he were a sort of bait for the trap. He sat within the paying teller's cage, the end of a long cord in his nervous hand, the other end of which was attached to the low-burning gas jet. At the judge's given word he was to pull the string, lighting up the long room, and then drop flat on the floor for certain metallic reasons about which he had asked for no detailed instructions.

He glanced several times at the massive iron safe which stood so calmly, so stolidly at his back, so completely regardless of its impending ravagement. He wondered how even the cold metal could stand so passive, could be so devoid of sensation, could be so indifferent under the stimulus of the various thrills he himself was experiencing.

Curly and Frank sat cross-legged on the floor, one on each side of the house, below window level. Thus, not considering the partition before Klein, they made a rude square a trifle elongated at the bank president's position.

The rear door was somewhat to one side of the center, allowing greater cage room for the workers of the establishment. Should the expected looters enter by the front door and the three watchers crowd them back along the corridor toward the rear, they would be cornered before they could open the way to the alley. Should they come in the rear way, they would have to walk forward for a distance before reaching the door opening into the grilled compartment where-

in stood the safe. If this method were tried they would face three men before them and the three men from the alley who would close their exit behind them. Meanwhile, Frank and Curly were watching for attempts on the windows.

Silence fell and the four men settled themselves according to their own fancy and own mental attitudes for a long vigil. Until midnight the hilarious uproar from the various saloons in the vicinity continued unabated and the noise of many riders and walkers now and then flowing past the bank came clearly to their ears.

"I think we can smoke uh li'l," announced Frank in a loud whisper. "They won't be nothin' doin' for uh coupla hours yet, anyway."

"Silence!" rasped the judge's voice. "Ye don't know who might be listenin'. An' don't ye dare have th' nerve to smoke. Th' divils'll smell it on comin' in out o' th' fresh air."

Gradually the sounds from without died away. They made no further comments and no noise beyond a cautious shifting from a tiring position now and then.

It must have been three o'clock and their patience was worn thin when a faint tinkle was heard at the back door. Someone was fitting a key into the lock. There was a soft click and the tumblers turned smoothly. The key fitted the door and nothing remained to withhold the intruders save the bar across the entrance. Startled, President Klein wondered which of his employees

could have furnished the burglars a key, providing anyone did.

The straining listeners heard the slithering sound of metal against metal. At length there came the sliding of wood as the bar across the door was being lifted from its iron brackets.

"The smart devils," thought the bank president to himself. "That is a clever trick — raising the bar with a strip of metal thrust in between the door and the casing. That is no ordinary ruffian's trick. There is certainly a smart and cunning mind behind this. No wonder they can't catch Nightbird."

There was no further sound but a draft of fresh air was felt by the waiters and they could visualize a form sliding in through the lower aperture of the partly opened door and removing the bar entirely. The judge waited five paralyzing minutes while President Klein suffered a nervous rigor. Then, as three figures slowly approached the front of the building and took substantial form before his aching eyes, Judge Ryan spoke.

"Now!" he cried sharply and leveled his gun upon the hazily outlined figures. "Stick 'em up, ye imps o' Satan. Ye're caught."

The light flared up, the mantels almost falling from their positions, so violently had the worthy president obeyed his instructions. The two DZX men sprang several paces forward, guns at the ready.

The three new arrivals bumped into each other

and then leaped apart with curses of consternation. They disobeyed the judge's admonition by firing immediately. The rearmost man, a masked figure in a black riding cloak, whirled swiftly and sprang for the unlocked door. The shotgun of the judge roared and a heavy charge of buckshot ruined the oaken finish of the barrier as it slammed shut behind the fleeing raider.

Almost instantly there sounded answering shots from the alley and from the front of the building. There was a thudding of many feet, the sharp clattering of hoofs from the side street, the noise of mingled shouts and cries. Then the sound of horses in rapid gallop.

"Bungled," announced Frank disgustedly, looking down at the man who had not shot at him quick enough.

Curly cursed quietly but artistically as he held his left arm tightly. One of the bandits had shot more true. Unfortunately, however, this man had stood somewhat in the line of the judge's charge of buckshot and he also was down.

The rear door was flung open and two men ran into the building. President Klein managed to overcome his abhorrence of flying lead and stuck his head cautiously out through the teller's grilled cage.

"Hill's bills! Wot's wrong?" bellowed the judge at the newcomers. "Where's th' cavalier o' th' trailin' nightshirt?"

"Damn it, he got away," howled one of the

wild-eyed new arrivals. "He was as quick as uh fox. Ted an' Jawn are chasin' him now. Yuh see, he run out before we was quite up to th' door an' we wasn't close enough to grab him, so we shot. He fell an' we run up to him. But he jumped right out from under our hands an' run straight across th' alley towards th' courthouse. All we got was his ridin' cloak."

Words actually failed the judge. He almost choked with disappointed rage.

"Le's see th' cloak," said Frank quickly, shoving his gun back into its holster.

He and Curly examined the article. Slowly their eyes met above the garment. It looked very familiar. In fact, they had thought it was going to look familiar before they examined it.

"Well?" growled Ryan.

"Er—it looked kinda like Sing Li's ole operee cloak," stated Frank. "That is, it did at first, but I see it ain't, now."

"Ye're a domn liar," contradicted the judge belligerently, "it don't look remotely like yer yellor opera queen's cloak, besides which, Sing Li's cloak ain't no longer in use since thot gambler Carter used it for a winding sheet. So talk. Where'd ye see this cloak before?"

"Judge, this here bird yuh perforated is still existin'," Curly broke in. "Mebbe he can tell us somethin'. They's somebody beatin' on th' front door an' my arm is bleedin' to beat hell."

"Domn ye for——" began Ryan hotly, then

he nodded. "I guess we've lost Nightbird himself. Sure an' I can readily see why he always superintends a job himself to keep it from bein' bungled," he snorted. "Yes, ye better let 'em in, Mister Klein. It'll be our boys as' well as th' whiskey owls what don't sleep at nights. Curly, git th' hill outa here an' hunt up Doc Sawyer. After he's through wid ye, bring him back here to patch up this varmint. How's th' other one, Frank? Dead? Huummm!"

A mingled gathering of citizens, gamblers and members of the posse poured into the long room. They were brimming over with questions and demands and President Klein had to tell the story of the attempted robbery again and again. Conspicuous among the crowd were Sheriff Carruthers in his shirtsleeves and Jackson the gambler, hatless and with a green eyeshade in one hand.

"We nailed one uh them out here in front, Jedge," called a man with a rifle. "They was five uh them but th' rest got away an' took th' extry hosses."

"What's goin' on here?" thundered Carruthers heavily, catching a half-nelson on his beard and shoving his authoritative way forward.

Judge Ryan seemed to gain two full inches in height as he glared down on the slightly shorter sheriff.

"Niver ye mind, laddie b'y. Sure an' th' auld judge himself is runnin' this shebang. Ye can see thot we've nipped a bank robbery in th' blossom.

Now, corral these inquisitive mavericks an' git 'em outa here."

"Kee—rect," agreed the sheriff more mildly, glancing at the DZX puncher who stood near the judge. "Shall I handcuff him, Jedge?" and he nodded toward Frank.

Judge Ryan made such an impatient motion that Carruthers fell back precipitantly. His eyes fell upon the riding cloak the judge held and he started slightly.

"Look familiar to *yuh* too, Mister?" drawled Frank softly.

"They say Nightbird wears one," Carruthers growled in response. "D'ye git him? Where is he?"

"What?" cried out Jackson quickly from where he stood. "Did you get McQuirey? So he was *Nightbird*, eh?"

Although the gambler's query concerned a man for whom he had no particular love still it irritated Frank to hear Jackson implicate the missing cowpuncher by publicly coupling his name with that of Nightbird. And that the gambler was wrong Frank was almost certain. Ungrateful though it may have seemed to the man who had saved his life, the puncher felt that he could name the mysterious night raider.

"We didn't git him," snapped Ryan irritably. "Now, git out."

As the gathering crowded reluctantly out Frank bent over the outlaw who had stopped one or more

of the judge's slugs. The man's eyelids fluttered weakly. One of the men who had guarded the alley rolled up the cloak in question and placed it under the wounded man's head. The bank president himself brought a glass of water.

The DZX puncher made a perfunctory examination. Apparently the fellow suffered most severely from a creased mark on the side of his head. His other wounds appeared to be trifling flesh wounds.

The man was a stranger to everyone present—a sandy-haired individual with a stubble of tow-colored hair on his ugly face. He looked more like a disgraceful, disreputable tramp cowpuncher than a bad-man.

After a glance into the fellow's primitive visage Frank winked broadly at the men about him and knelt beside the stricken raider. Taking the proffered glass of water from the president's hand he held it to the lips of the outlaw. The touch of the liquid revived the bandit and he opened his eyes stupidly.

"Quick!" Frank said tersely to one of the men leaning over the head of the fallen man, "slap th' bandage to that awful hole in his head before he moves, George."

George, being fairly quick of wit and anxious to redeem himself for his share in the fiasco in the alley, caught up a fold of the cloak and jammed it quickly against the side of the outlaw's head. The man raised his hand instinctively but Frank

quickly caught it and pulled it down.

"Lay still," he commanded in a low serious voice. "Yuh mustn't exert yoreself. Yuh're sinkin' fast. Is they anything yuh want to confess to th' judge here 'fore yuh cross th' line? This here is Judge Ryan."

A hopeless expression entered the fellow's face. "I—I'm not agoin' tuh—tuh die, be I?" he whispered helplessly.

"I'm afraid yuh are," murmured Frank softly, as if in awe at the near presence of the grim reaper. "We all gotta go, yuh know," he offered sympathetically.

"Sure an' 'tis a shame, me b'y," added the red-faced judge as he kneeled beside the victim, drawing a pencil and an old envelope from his pocket. "Come, tell me anything ye might be wantin' to ease yer soul of before yer strength leaves ye. Was that really Nightbird in here wid ye?"

The wretched fellow gulped miserably.

"Yessir," he whispered.

"An' what's his real name?"

"I dunno. I ain't never heard. I ain't never even seen him 'thout his mask. None uh us does. I don't wanna die. Don't let me die. My Gawd, I ain't fit to die. Help! Help!"

"There, there," soothed Frank gently, all but overcome by the touching scene. "They ain't no use hollerin' thataway. We'll do our best for yuh. We done sent for th' doctor. Go on an' tell th' judge some more."

"Yuh already sent for th' doctor? Then I ain't gonna die? I ain't gonna die! I don't know nothin'."

"But th' doctor ain't here yet," added Frank promptly and meaningly. "Hold th' bandage tighter, George. My knee is gettin' all wet with blood."

This time he had to exert some strength to hold down the hands of the panic-stricken man.

"Ye say ye've never seen him?" pursued the judge gently.

"Oh my Gawd!" moaned the unhappy victim. "Nawsir. He don't never show up till night an' then he always wears his mask an' cloak. I don't wanna ——"

"Ye mean to inform me that he never spends th' day wid ye? Where does he meet ye?" interrupted Ryan calmly.

"He tells us every time where he'll meet us next time. He's always along when we do some work."

"But don't ye have no special meetin' place?"

"If anything happens so's we don't meet or they ain't nothin' to be done for several days we meet up 'round MacGregor Gap."

"Uummm. MacGregor Gap. Th' dear lad from Scotland. We're gittin' on. An' ye've no idea atall, atall who Nightbird is?"

"Some uh us thinks he might be one uh his own lieutenants in th' day time but we dunno nothin' 'bout him for sure an' it ain't healthy to inquire."

"What lieutenant? Ye've named no lieutenants yet?"

"We kinda suspects uh Mex who joined us a coupla weeks ago. He wears uh black cloak an' he ain't worked with us at night none yit which same he couldn't if he was Nightbird, too."

"What's his name?"

"He calls hisself Pancho Diaz."

"Ah!" breathed Frank to himself.

"How many are there in yer congenial band?" continued the judge boringly.

"I dunno. It's growin' purty fast. Nightbird handles th' whole thing hisself. T'night's th' fust time he ever miscalculated, too."

"Sure an' misfortunes come to us all," consoled Ryan. "So MacGregor Gap is yer lodge room. Don't ye have a regular headquarters for th' gang—a central stronghold? Where do ye take th' stolen cattle, f'instance?"

"There's uh place in th' mountings over toward——"

"Here's th' doctor," bawled Carruthers loudly, striding in, immediately followed by the rabble.

"Over towards where?" demanded the judge, ignoring the reappearance of the sheriff.

But the wounded man's ear, attuned for the welcome footfall of a medical savior, heard Carruthers' words above the noise of the crowd.

"Lemme have th' doctor," he shouted desperately. "Don't lemme die. Lemme see th' doctor fust off. Quick! Help!"

"Hill's bills an' sivin divils," growled Ryan, shooting an angry glance at the sheriff. "Doc, patch up this buck's scalp wid some stickin' plaster. Carruthers, ye're so domned anxious to work, put handcuffs on this specimen an' take him to jail, domn yer skin."

George dropped the edge of the cloak and the wounded man reached quickly toward his injured head. When he felt the bullet crease, sore and painful, yet only a bullet crease, he struggled to his feet furiously, mouthing foul curses upon his tricksters.

Fairly roaring with laughter Frank promptly squelched the fellow's anger by neatly tripping him. Carruthers quickly snapped a pair of handcuffs about the struggling man's wrists, almost viciously he seemed to the watching Curly.

CHAPTER XXII

THE MISSING BONDSMAN

MISTER CLARENCE HIGGS, deputy sheriff, County of Richelieu, had occasional flashes of what he was pleased to call "detectional inspiration." Not inferring that Mr. Higgs suffered very violently with that too prevalent disease known as inflated ego, but Mr. Higgs had undoubtedly heard of that bewhiskered axiom regarding the violent expulsion of air through one's own musical instrument.

Hence, since his immediate superior emphatically demanded the apprehension and further cross-examination of the mysterious bondsman for one Joseph McQuirey, tramp cowpuncher and recently departed for parts unknown, Mister Higgs felt that it behooved him to redouble his activities and thereby locate the elusive gentleman of the ready cash. It stood to reason, to everything about which Mr. Higgs had ever heard, that no man would put up that much money on even a sure thing without an excellent reason.

Hence, if McQuirey were worth ten thousand dollars he must be Nightbird himself and therefore the bondsman whose initials were J. M. was a confederate. The murder charge was cleared now, though. Therefore, why didn't the

bondsman come to demand his money? There could be but one adequate reason. The bondsman was scared. But of what should he be frightened? Nothing! Therefore the bondsman must be Nightbird also.

This was ridiculous. Yet, the man might be. And, anyway, the sheriff wanted him. And if there was any importance to be attached to this confusing individual and Mister Higgs could lay his duly deputized hands upon him, especially after Judge Ryan and his private posse had let the man get away the other night, it would mean a distinct ostrich plume in the head-covering of Mr. Higgs and roseate visions of the sheriff's office itself next term—providing he didn't let Sheriff Carruthers confiscate his thunder. Mr. Higgs would be entirely too astute for that. In short, if Mister Jed Martin, bondsman *de luxe*, were still visible to the naked eye in daylight and within the confines of Richelieu County, Mr. Higgs proposed to find him.

This firm resolve brought Mr. Higgs out of his chair standing.

As to the *modus operandi*, that should be comparatively simple to a man of Clarence Higgs' cleverness. He marshalled and arrayed the points in his favor before him. Mr. Bondsman had a face that reminded Mr. Higgs of a lean and grim turkey buzzard, a face that had forcibly impressed Mr. Higgs at the time. In private, Mr. Higgs' personal opinion was that Mr. Jed Martin would

not have carried off even the booby prize at a beauty show.

Now then, he knew the man by sight and could recognize him, whereas Sheriff Carruthers didn't even know for whom he was looking as he had failed to see the bondsman. As Martin was a stranger to Lebanon, as the murder charge was cleared and as he would not credit Mr. Higgs with such clever analysis as to identify him with Nightbird, he would still be running around loose on the prairie. Therefore there remained but one thing to do—go find the man.

Just how long Deputy Sheriff Higgs' theory would have held water or just how far his mental processes would have allowed him to expand and ramify his deductions without destroying his hypothesis is unknown and of not the slightest interest. Let it suffice that, with the new zeal which fired him, he found his man the very first crack out of the box and proudly returned to Lebanon, his charge riding peacefully along at his side.

There was but one insect in Mr. Higgs' ointment of bliss. The stranger was entirely too willing and too docile. There was something rotten and one didn't have to go as far as Denmark to understand it; Nova Scotia was far enough. In brief, the stranger could not be Nightbird himself. He looked too gawky, too honest. At best he could only be a confederate and Deputy Higgs was beginning to seriously doubt that. Nevertheless he was the man Sheriff Carruthers had been

trying to lay his hands on and that was something.

Higgs had employed the simple expedient of describing his man to all he met and at every little house and shack over the sparsely settled country surrounding Lebanon, figuring that the unknown must live, exist or hide himself somewhere. Right or wrong in his supposition, his enthusiasm had not had sufficient time to die down before he espied the wanted man himself pitching hay in Blaine's farmyard just four and seven-tenths miles south of town.

When one's theory is substantiated, regardless of how, why, or where, a slight rise in the stock of self-esteem is permissible and pardonable. Thus, Mr. Higgs marched proudly into Judge Ryan's office and, like a terrier laying a succulent bone before his master, presented his companion.

"Judge Ryan, this here is Mr. Jed Martin, our missin' bondsman. He works for Mister Blaine an' *I* found him. He didn't know we was huntin' for him or he would of come in before, he says. Yuh remember him? Well, while yuh talk I'll run down an' git th' sheriff."

Which effective little arrangement with Judge Ryan as a witness was Mr. Higgs' method of preventing Mr. Carruthers from making any personal claims as to the discovery of the bondsman, should anything develop from this meeting.

When the sheriff entered he looked the gaunt stranger over curiously, puzzledly.

"So this is th' mysterious bondsman, eh?"

Where'd yuh come from, Mister? Where yuh been all this time?"

The insulting tone of the sheriff fairly made Martin's muscles harden. He disliked the officer immediately.

"I didn't know ye was alookin' fer me," he stated quietly. "I been workin' fer Mr. Blaine."

"Humph!" sneered Carruthers. "That's uh blind. How long yuh been uh member uh Nightbird's gang, Martin?"

The Arkansan stiffened.

"What d'yuh mean?" he demanded.

"I'm speakin' 'bout McQuirey."

"Well, what about him?"

"Waal," ruminated the sheriff, his fingers busily gathering in his beard like a tucker on a sewing machine, "didja know that yore man has run off an' that yore ten thousand dollars is forfeited?"

"I heerd somethin' like that," drawled Martin. "But how d'yuh figger th' money is forfeited? He warn't guilty uh th' murder now that this here feller Carter has confessed."

"Sure an' that's true," endorsed Judge Ryan. "Carter's confession cleared th' atmosphere all around."

"But he's suspected uh bein' Nightbird now," put in Carruthers viciously. "He's suspected uh robbery an' cattle rustlin' an' there's one death to his credit besides lots uh shootin's."

Martin's eyes twinkled at the belligerent official.

"That's uh diff'rent case," he objected.

"Mebbeso," snapped the sheriff before Judge Ryan could speak, "but we got yore money an' we're gonna keep it unless yuh can produce McQuirey."

"How can I produce somebody I don't know nothin' 'bout?"

"Don't know nothin' 'bout?" put in Higgs dazedly. "An yuh put up ten thousand dollars on uh man yuh didn't know nothin' 'bout?"

"Sure did," agreed the Arkansan calmly. "An' yuh can keep th' money. 'Tain't worryin' me none. It ain't mine," he finished calmly.

This was the last straw for Mr. Higgs. He could no longer keep his jaws together, and his mouth hung open.

"What!"

The exclamation was wrung from the sheriff and the judge.

"'Sfact," grinned Martin. He was enjoying the consternation.

"Sure an' we've had enough o' this pingpong-ing," decided Ryan. "Suppose ye be tellin' us th' whole story, Mister Martin?"

"Be this uh legal 'xamination?" demanded the mountaineer.

"Ye may safely consider it wan," nodded the judge.

"All right, then. I was asittin' in th' door uh Blaine's barn that day when I heerd uh noise an' looked up. I saw uh masked man in uh black

ridin' cloak standin' over me as close as we-uns is now. 'Fore I could faint or reach for uh pitchfork he spoke. 'Do yuh want to earn five hundred dollars?' he says."

"What day was this?" demanded Ryan.

"Th' twentieth uh last month."

"What time?"

"'Bout noon, I reckon."

"Go on," commanded the judge, while Carruthers succeeded in getting a death grip on his whiskers.

Higgs, somewhat recovered from his shock, was enjoying the dramatic turn of the situation and he rolled a cigarette with an air which he strove with all of his might to make nonchalant.

"There was only one answer," continued Martin laconically. "I said, 'Yes.' At that he pulled uh big wad uh bills out from under his cloak an' counted off ten thousand an' five hundred dollars. 'Go to Lebanon right now,' he says, 'an' put up ten thousand dollars as bond fer uh man named McQuirey who is now bein' held in jail. Then come straight back here without doin' no talkin' an' th' five hundred dollars is yore's to keep.' I couldn't see nothin' criminal or wrong in that. So I done it. That's all."

"Can—can yuh describe th' m—masked man?" stuttered Carruthers uncertainly.

"Waal," drawled Martin meditatively, "he was purty well set up. He had broad shoulders an' he was quick."

"Did he have—did he have uh mustache or any kind uh distinguishin' marks?" pursued the sheriff. "Yuh know we ain't never been able to git uh good description uh th' man."

"I dunno," Martin replied slowly. "He had uh black mask all over his face I done told yuh."

The sheriff sank weakly into a chair and clutched his beard fiercely with both hands. He acted queerly, as though unable to reconcile one fact with another. Higgs eyed his superior curiously.

"I'm thinkin' this story kinda tears hill outa th' theory o' McQuirey bein' Nightbird," rumbled the judge thoughtfully.

"This man is uh liar," stated Carruthers uglily.

Martin flushed and he swung quickly toward the seated man.

"Sheriff or no sheriff, yuh eat them words or——"

"He meant th' party who called on yuh was uh liar," threw in Higgs quickly at this juncture. "He lied by leadin' yuh to believe he was Nightbird when he might of been substitutin' as Nightbird till McQuirey could git outa jail—that is, if McQuirey is Nightbird."

"Sure an' that's possible," said Ryan. "Hold yer horses a minute, Martin. Th' whole thing's a domn muddle. Did anywan else see th' masked man, Mister Martin?"

"Nope. An' I didn't git to see what he did. He made me go on to town first an' when I come

back he was gone. Nobody said nothin' to me 'bout him an' so I kept still like he said do."

"How long ye been workin' for Blaine?"

"I'd been thar 'bout three days 'fore th' masked man come up to me in th' barn door."

"But when ye come in to make bond ye said yer address was general delivery at Lebanon," pointed out the judge.

"I didn't know how long I was gonna stay there," explained Martin simply.

There was a pregnant silence. The Arkansan waited patiently. Finally:

"Be they anything else?" he queried.

"Do yuh know anything else?" fiercely demanded Carruthers.

Martin studied the sheriff for a long breath. He restrained his temper with an effort.

"Nope," he stated at length. "Nothin' that yuh'd understand. Leastways 'bout this McQuirey-bond-Nightbird-cattle stealin'-murder-Carter business," he concluded subtly, enumerating the points which seemed to bewilder the officer.

"All right. Git out!" howled Carruthers irritably.

The mountaineer's brow darkened and he clenched his fist.

"Whist a bit, Martin, me b'y," Ryan soothed quickly. "Sure an' ye're not forgettin' that th' sheriff has lots on his mind an' finds it hard to be civil. Don't be takin' offense at th' distracted

lad. Can we be findin' ye at Blaine's place now whenever we might be wantin' ye?"

The Arkansan relaxed.

"For th' present, Judge," he said respectfully.

"Leastways till I git th' urge to move on."

CHAPTER XXIII

THE OUTRAGE

SING LI, Frank, and Curly were at once the admiration and envy of the DZX outfit.

"Lookit th' three pesky misquitoses," derided the disgruntled foreman over the supper table. "All swelled up 'bout their rantin' 'round an' Curly nursin' uh scratch on his forearm. Aw, Hell! An' I went to town an' couldn't even stir up no excitement atall, no place."

Which but goes to show how little one realizes the train of events which lead from one's little acts.

"Shucks, Jim," grinned Frank cheerfully, gulping hastily to clear his vocal decks for action. "Yuh ain't got no kick comin'. Yuh're such uh bad-man they all shy offa yuh. Yuh're so tough we could make buckskin boot laces outa yore whiskers."

"There yuh are," brightly endorsed Curly with an I-told-you-so air. "See?"

"Aw, shut up," growled Harrison disgustedly.

"Now that you mention it, you haven't the biggest complaint to register, Jim," said Jack Montague quietly. "Look at me. I spent a night in jail and then Sing Li gets my man."

"Yuh two growlers ud kick if yuh was bein'

hung," jeered Curly unsympathetically. "C'mon over to th' bunk-house. My arm ain't so nursed that I can't deal uh wicked hand uh poker."

"I don't want you men so dissatisfied," commented the elder Montague. "One would think that blood and thunder is your meat and drink. Didn't you discover three stray calves that had blackleg in the DZX herd? Haven't we been on tiptoes ever since, especially as cattle running has become so popular. If we go off adventuring and allow rustlers or Indians to drive off our stock there won't be a job to come back to."

"I do get tired of stumblin' round in th' dark," admitted Harrison. "Otherwise I'm havin' lots uh fun."

"I figure we will all have lots of fun before this business is finished," returned the rancher grimly. "However, since you boys all want fun, since you crave action, since you are all frantic to do something, we'll just start night herding in dead earnest tonight on the DZX. In place of two or three night riders, we'll divide into regular shifts."

A chorus of groans went up from around the table.

"There, now see what yuh bellyachers done, jawin' thataway," bitterly complained Sleepy Stearns, a puncher who heartily enjoyed his nightly arrangement with Morpheus.

"Let's see—there are thirty-two of us not counting Sing Li, able-bodied and healthy," con-

tinued Montague, unheeding the various protests. "We start branding next week if nothing happens, and we start shipping our fall market steers right away, too. However, I guess we can manage to makeshift with sixteen day hands for a spell. That leaves sixteen of us for night duty. As it isn't the most pleasant duty in the world we can take it week and week about. Now——"

"I suggests Sleepy Stearns for foreman uh th' first night shift," shouted a round-faced little puncher, arising and grinning maliciously at the sleep loving cowboy across the table.

He promptly received a response in the form of a squat, brown molasses jug hurled unerringly at the pit of his stomach.

"R. S. V. P. if yuh dare," shouted Stearns.

"Here! Here!" called Harrison peremptorily. "This ain't no girls' boardin' school. Lay off th' sweet li'l souvenirs."

The door of the chuck-house was flung violently open and a hatless, blood-streaked, gaunt stranger staggered rather than ran in. He glared wildly around until his eyes fell upon the Montagues. A look flashed between them and then the newcomer slowly drew himself together.

"Mister Montague, Jack, all uh yuh, listen," he shouted. "Nightbird jes' raided Blaine's place, fired th' buildings an' took th' gal. Me an' Hercules has come fer help."

An uproar resulted. Chairs were overturned as excited punchers leaped to their feet. His face

gone white, Jack leaped upon the table and ran quickly down its length. Springing to the speaker's side, he grasped his shoulders tightly.

"Say that again, Martin," he commanded crisply. "Speak slowly and tell it all. Talk!"

Harrison and the elder Montague, as one, grabbed heavy dishes and pounded on the table for order and silence.

"About a hour ago, while we was sittin' at supper, th' farmhouse was surrounded an' five or six men led by that devil in uh ridin' cloak an' uh black mask come crowdin' right into th' dinin' room. We was completely surprised an' didn't have no guns or nothin'.

"They grabbed Miss Patty up right outa her chair an' when she screamed an' Blaine an' me jumped up th' leader shot Blaine down an' one uh them hit me from behind I guess. Anyway, everything went black an' when I come to they'd locked us up an' tied th' two hired hands. We got Blaine to bed an' while th' two hands started to save th' stock from th' burnin' outhouses I jumped on Hercules an' hit it straight fer here."

"Is Blaine dead?" asked the elder Montague tersely.

"He warn't when I put him in bed."

"Which way did the bandits go, did you notice?" demanded Jack.

"They headed northwest for th' Canadian."

"Let's go, boys," cried Jack sharply. "You coming, Dad?"

"You know it, son. But somebody must remain here. Jim, will you see that——"

"Not me. Not me," began denying each and every puncher vehemently.

"Silence, you young fools!" roared the rancher, surprising them into silence by his unwonted tone and volume of voice. "You'll all stay here but those I name to go. And while you wait, overhaul your guns and saddlery. Most of us will probably be in the saddle before morning. Jim, you will see that these instructions are carried out. Jack, Sleepy, Frank, Harry, Pete and Jerry! You boys saddle up and we'll go back with Martin here. Frank, you and Harry will ride on to Lebanon without stopping, get the doctor and notify Judge Ryan and the sheriff. The remainder of you wait for your orders here and see that you are ready to ride."

"Git yore slickers out, everybody," added Martin. "She's drizzlin' now an' she's gonna rain down pitchforks an' nigger babies 'fore mornin'."

"Hell broke loose—uh storm comin' up—an' me with uh bum arm," soliloquized Curly. "Out across th' open country—in th' drivin' rain. They ain't gonna be no trail to follow."

Midnight found a big gathering of grim and armed men at the Blaine farm. They looked weird and fantastic in the red glare of the dying fire of what had once been a well-filled barn, a corn-crib and several sheds. Blaine was still un-

conscious, but Doctor Sawyer had stopped the bleeding and thought there was a chance for the fruit grower, the bullet having missed his heart very neatly.

Judge Ryan, the two Montagues, Perth, Rankins, and Spaulding were holding a conference in the parlor, the latter three being the three closest ranchers. The sheriff had come out with the judge and doctor and he was busily deputizing all of the cattlemen and punchers who were intending to ride after the raiders.

The storm was still gathering. It was inky black and ugly mutterings and sullen flashes all around the horizon forewarned of the fury of the elements when the rain did come.

"They'll make for the free ferry on the Canadian River if they are really riding west," said Montague. "Unfortunately, the judge was unable to learn from the captured bandit just where the stronghold is. This may be but a false lead. Nightbird, you know, is as cunning as Satan himself."

"As we can't trail them in the darkness and the coming rain I suggest that we send out, not one, but two or three posses, each with a capable leader. For instance, suppose we send a posse straight to Free Ferry to overtake or intercept them there in the early morning? Then, for fear they won't make for the ferry, the rest of us can form smaller posses and ride out from here in all directions. Whoever runs across the marauders

or their trail can send back a rider and we can all follow."

"And lynch 'em on th' spot," gritted Perth, a big, iron-gray appearing man. "When they start on our women I'm for not even givin' 'em a trial."

"An' they killed one uh yore punchers, too, didn't they?" said Rankins. "I guess we've all lost steers an' had money in th' banks what has been looted. All right, I'm with yuh. We'll exterminate 'em."

"Are yuh takin' uh vote on their disposal?" drawled Spaulding. "If so, let's catch 'em first."

"Has anyone a better plan than mine?" asked Bill Montague.

Martin strolled in, looking like a hero of '76 since the physician had bandaged his head.

"I guess I'll take the south, along Dallas Road," said Jack.

"Very well," agreed his father. "You may pick up half the boys as you go by the ranch. Now, who wants to make for Free Ferry? Speak up, men. Is there any choice here, or upon any other direction?"

"I'll be goin' that way," put in Martin, his quiet voice ominous in its calm.

Montague turned to the mountaineer, a friendly beam in his eye.

"No, old man," he said kindly. "Much as you want to go, you'll do far more good by staying here and assuming charge of things for Blaine. Some one has to watch things, you know."

Martin nodded reluctantly.

"How is Mister Blaine now?" queried Jack anxiously.

"Jes' th' same. No change," stated Martin.

"Well, I'll take my gang uh punchers an' make for Free Ferry," stated Perth. "It's over beyond my stretch of land anyhow."

"Good," declared Montague. "That's a good idea all the way around. Suppose you patrol your land and beyond that way also, Spaulding. And you, Rankins. That will pretty well cover the country west of here and will keep each outfit near its own stock. I will ride north with some of the men from here. With Jack going south, that cuts the raiders off from the east completely. Frank can go with you, Jack. Sleepy and the other boys here, I'll take with me. Leave Jim on the ranch with part of the gang."

"An' if nothin' develops by sundown tomorrow ye will meet at th' DZX for consultation," concluded Judge Ryan, tying up the loose end in the hasty arrangements.

"Let's ride," suggested Jack grimly and he strode quickly out.

On the way back to the ranch Frank repeated his story of his and Curly's adventure at MacGregor Gap carefully at Jack's request. He again voiced his suspicion as to the Mexican's complicity.

"You may set your mind at rest on that score," replied Jack. "A wanton murderer like Nightbird wouldn't lift his finger to save two cowpunch-

ers from a quarrel. Besides, I am beginning to have a strong suspicion as to Nightbird's identity after this night's work. I am trying to make all of the facts fit together now."

"I dunno," said Frank stubbornly. "If you'd been with us yuh'd have th' same idea we got."

Jack shrugged.

"I wonder if Martin has ever been to Mac-Gregor Gap," he said.

"Martin? Why Martin?" puzzled the puncher.

"They might be somebody up there who would interest him."

"What d'yuh mean?"

"Oh, just some private business of Martin's. I thought th' Gap might be a likely place. Just listen to that thunder. And Patty is out in all this."

His voice broke slightly and his companion reached over and squeezed his arm.

"You hold tight, Jack," he said to the younger man, sensing the wildness that was rising in the other's breast. "We'll get 'em, yuh betcha."

At the ranch they nearly caused an exodus with their news, an exodus which would have been complete despite Montague's instructions had not Harrison quickly named ten men, including himself and Curly, to remain behind and dared them to make for the corrals.

Just after the others had ridden off the storm broke in all its expected fury and the disappointed

men consoled themselves with the meager satisfaction that they were not facing the wind-driven rain and that, due to the other activities of Nightbird, they wouldn't have to venture out on the DZX range tonight.

The night passed, also the next morning, and they heard nothing from the various posses and nothing from the Blaine farm. It was late in the afternoon when they rode out over the muddy range to round up the herds which had wandered far back into the draws and coulées for shelter against the weather, that they made a startling discovery. More than three thousand head of choicest steers had completely disappeared during the night and the terrific rain had washed out all traces of possible trails.

They could have gone east across the state line, north toward the Arkansas, or south toward the Red River. It was barely possible that they could have been driven northwest toward the Canadian River, right between the watchful posses, so brazen and colossal was the steal and so stormy had been the night.

A mind as keen as a whip had planned the entire raid. Blaine's daughter had been abducted and his buildings fired to draw the DZX punchers and all other cattlemen westward. Then, under cover of the rain, the main band of Nightbird had cut out the best steers of Montague's herd while every puncher available was chasing the decoying vandals toward the west.

Ten men could do nothing here. Besides, there was the remainder of the herd to guard and care for. Chagrined and cursing heartily, Harrison directed the work of the remaining punchers. Curly set out northward in search of Bill Montague.

CHAPTER XXIV

COWMEN RIDE

THE lamps were lit and turned high in the great living room of the DZX ranch house. More than twenty-four hours had elapsed since the wanton and ruthless raid on the Blaine homestead. All of the minor posses had returned empty handed and were gathered on the DZX. Perth, upon whom was pinned the last fading hope, had not returned nor had he been heard from.

The room was almost crowded with serious-faced men—ranchers, citizens, U. S. marshals, punchers, and prospectors, many of them well known in the annals of the Southwest. The news of the outrage had spread as rapidly as a prairie fire and in place of five range holders at this pre-arranged meeting there were fifty men. Numerous punchers thronged about the place, invaded the corrals, demolished the provisions, and nearly drove the flying Sing Li frantic by their frenzied demands for more food.

Bill Montague sat with Judge Ryan and Sheriff Carruthers at his desk and faced a semicircle of hard-eyed cattlemen.

"Boys," he said. "I'm mighty glad to see you all here tonight. On the surface it looks like a

game to recover Blaine's daughter, Patty, and my cattle only. I know that you are all with me, gun and saddle, for this alone and I thank you. But in reality it is a showdown between this highly organized and growing gang of crooks and the cattlemen and settlers of this country. It is the decisive clash between the keen brain of this unknown but not unknowing Nightbird and ours. And that he is not asleep we have just been given ample demonstration. Are we going to tramp out this evil now or wait until it outgrows us?"

"Now!" came the rumbling growl from half a hundred throats.

"I wrote to th' Cattlemen's Association uh coupla months ago 'bout this here Nightbird an' his rustlin'," stated a man by the name of Waymire whose ranch lay somewhat north of Lebanon. "They come back with uh letter sayin' th' matter would be investigated in due course uh time. As for th' sheriff — he ain't showin' no results either."

Carruthers cleared his throat and stood up.

"It's true I ain't caught Nightbird," he said. "But I been workin' hard an' I been tryin' to git him but I ain't had th' loyal support uh th' big men hereabouts. I've done th' best I could under th' circumstances."

"Do you think you deserve loyal support?" demanded Montague earnestly. "You've been playing politics in Lebanon with a crooked bunch, if I must speak plainly, and I for one haven't seen fit to coöperate with you. However, I have not

hindered you in the least and if you have anything to say now, we'll listen."

"In uh matter like this I do deserve support," declared the sheriff fiercely, passing over the rancher's comment on his politics.

"You've been insisting that a man is Nightbird who simply can't be. McQuirey was in jail and on my ranch too much of the time to have been the man you sought."

"Well, whoever th' raider is, th' thing to do is to catch him," averred the official.

"True. And I am ready to help capture Nightbird," stated Montague. "The association is always slow in these matters, Waymire, so we must make the best of it at present. Maybe we won't need them.

"I have been watching this growing trouble for some time and in a way I thought I was prepared for it, but this unexpected blow at Blaine was so devilish and so entirely unanticipated that Nightbird has drawn blood again and I have lost more than three thousand steers at the same time. It was a fiendishly clever and well-timed attack and even the very elements seemed in league against us.

"Most of us present have felt the touch of Nightbird's hand at one time or another and those who haven't will probably have that pleasure later if we do not halt him. What puzzles me is, what do they do with the cattle? When once they lift them, the steers completely disappear. And by

the way have any of you heard from Perth? He's overdue now."

"Here comes somebody down th' hall now," stated a man near the door.

The newcomer proved to be Martin, the Arkansan. He entered the crowded room and made his way forward.

"Hello, Martin," greeted Montague. "How is Blaine? Any change?"

"He jes' come to uh li'l while ago an' he's callin' fer his gal," replied Martin soberly. "Doc Sawyer says he thinks he'll pull th'ough 'less he starts frettin' too much fer his daughter."

"Have you heard anything from Perth?"

"Yep. I jes' got some sense into th' two hired hands when Miz Perth come over to take charge uh th' house. That's why I'm ready to ride. She said Perth an' his punchers jes' got back 'thout no luck 'fore she left. They'll be right over here as soon as they eat an' change hosses."

There arose a murmur of conversation as the cattlemen discussed matters generally. After a few moments the judge rapped for attention and began speaking to everybody generally.

"Sure an' th' identity o' this scalawag they call Nightbird is very puzzlin'," stated he. "Iverything points so far as we can see to th' Mexican who is ostentatiously a lieutenant o' Nightbird's accordin' to th' testimony o' th' rascal we captured in th' attempted bank robbery in Lebanon. Th' sheriff seems to favor th' McQuirey idea.

Personally, I'm thinkin' it's th' other man we're after. Sure an' it might be another party from th' both o' them entirely. If anywan can offer any information here atall, atall, now is th' time to talk."

He glared meaningly at Curly who was leaning against the mantel. The puncher swallowed embarrassedly once or twice at the sudden attention and then cleared his throat. Every one turned expectantly and Carruthers gained a good purchase on his beard to listen. Martin turned from an appraisal of the sheriff with a look of supreme contempt.

"Well, men," said Curly, "I guess mebbe I oughta tell yuh what I know. I ain't sure 'bout nothin', but here goes. Me an' Frank was out lookin' for McQuirey an' we got to MacGregor Gap. We had uh run-in with th' bunch what roosts up there an' this here Jim Dandy Mexican comes in jes' in time to save our earthly envelopes. We takes him in pretty well an' principal he wears uh black ridin' cloak. I never heard uh this Mexican who calls hisself Pancho Diaz before, but he made uh toast to Nightbird an' he knowed th' country hereabouts an' he seemed to have uh speakin' acquaintance with th' people. I ain't makin' no mar-vee-lous deductions but th' cloak George Taylor got that night last week looked mighty familiar. It jes' looks kinda funny, that's all. Then yuh know what kind uh outfit is 'sposed to hang out down there at MacGregor Gap. Well,

they're down there, all right."

"But if Nightbird maintains his secrecy from his men he would hardly show himself so plainly during the day. I hardly suspect a Mexican anyway," spoke Montague.

"I dunno," ventured the sheriff. "To handle uh big gang yuh gotta be with 'em more'n jes' uh while at night or they'll git away from yuh. But it might not be th' Mexican neither. Anyway we'll git him. Now then, which way shall we go? It'll all be guesswork at first. I figger they headed west, kinda south uh th' Canadian. That's why Perth musta missed 'em."

"Here's Perth now," said Spaulding. "What news, neighbor?"

"None," stated Perth heavily. "They didn't go that way."

While the newcomer greeted a number of the men present Montague took his map of the country out of his desk and spread it out flat before the gaze of the nearest cattlemen.

"Here's a relief map of this country. Look at it. What do the rest of you men think about it?" he invited.

A veritable war consultation and discussion of campaign took place, Carruthers doggedly holding to his original theory regarding the westward flight of the rustlers.

"For the love of God," implored Jack Montague, entering the room, "come to some decision, gentlemen, if you want to ride with me.

The DZX men and all of the others are ready to go. While you argue here time is flying and nobody knows what might be happening. I can assure you that the rustlers did not pass through MacGregor Gap either last night or this morning. I covered that territory thoroughly."

Bill Montague smiled sympathetically upon the tense, drawn face of his son. Harrison patted the young man gently on the shoulder.

"This ain't idle sympathy, Jack," he said. "Remember, they can't do no chariot racin' with three thousand cattle. We'd lose time by goin' wrong now."

There was a slight commotion at the door, and Sing Li came quickly into the room, leading a half-grown, raw-boned youth.

"Young man cally message flo Missee Montague," announced the Chinaman. "You catchee boss sittée at desk," he added to the boy, pointing at the owner of the DZX.

"Come forward, young man," said Montague, rising and eyeing the almost shrinking youth eagerly. "You have something for me?"

"Yuh Mister Montague hisself?" demanded the lad cautiously.

"In the very flesh," smiled the rancher winningly. "You say you carry a message for me?"

"Yessir. Yuh see, me an' Paw is got uh place down nigh Poplar Grove an' us ain' botherin' nobody. Us is got uh purty good well on our place an' this mornin' 'fore noon 'bout fifty men come

'long drivin' uh million cows. They stopped to git water an' me an' Paw purty nigh pulled th' well dry waterin' 'em. We never coulda watered th' cows. Paw said he thought they was somethin' wrong, but it was after we got back in th' cabin that we found two pieces uh paper helt down by uh big gold piece. I cain't read, but Paw he spellt out thet we was to bring th' folded paper to Mister Montague hisself uh th' DZX ranch right away. So here I be."

Having delivered himself of this lengthy speech the boy fished around in one of his pockets and finally brought to light a torn and hastily folded scrap of paper. Montague took it quickly and perused the writing upon one side.

"Th' 'rustlers!" shouted several. "They're headin' southeast."

"Boy," cried Jack, "did you notice whether or not there was a lady with them?"

"Yes, they was," admitted the youth. "They wouldn't let her say nothin' to me an' Paw."

"Was there uh Mexican in th' bunch?" shouted Curly.

"Are you sure they was fifty men?" queried Harrison.

"I dunno. I dunno. I dunno," cried the bewildered lad. "They wouldn't let us git close to them at all. Me an' Paw drawed th' water an' four men carried hit 'round to 'em all."

"Here, men," called Montague loudly. "Listen to this:

“ ‘Have girl and cattle safe. All O. K. but punishing beef badly in forced marching. Headed for central stronghold I suspected in Kimish Mountains on Arkansas side. Entrance through narrow valley and gorge called Devil’s Cut. Look for Pot and Kettle.’ ”

“Well,” snorted Judge Ryan impatiently. “Translate it an’ tell us who in hill wrote it?”

“Uh traitor! Now we’ll get ’em,” shouted an exultant voice.

“There is no signature, but it is from the same person who forewarned me of the intended bank robbery. That it is reliable I’ll take an oath.”

“Ah!” ejaculated Carruthers sharply.

“Where an’ what in hill is th’ Pot an’ Kettle? Some wan’s kitchen outfit?” demanded Ryan.

“I cannot say,” replied Montague.

“Th’ Pot an’ Kettle is two big stones what look like uh big ole pot an’ uh big kettle,” spoke up Martin, the Arkansan. “They is at th’ end uh th’ long valley an’ at th’ mouth uh Devil’s Cut. Yuh go th’ough Narrow Valley, pass ’tween th’ Pot an’ Kettle, go th’ough Devil’s Cut an’ yuh come out in uh widenin’ fertile valley. They’s lots uh grazin’ ground after yuh once git thar an’ they’s uh way out to th’ south.”

The sheriff eyed Martin quickly.

“What d’yuh know about it?” he demanded.

“It’s close to my country down thar,” Martin stated simply.

“I thought yuh come from west uh th’ Canadian,” sneered Carruthers.

"I did—recently. Th' Kimish Mountings is my home, though."

"This is prob'bly uh ruse," stated Carruthers. "I don't want to make no mistakes."

"We'll take a chance," decided Montague. "I rely on this note. If my judgment does not coincide with yours, suppose you organize a posse and take any steps you deem necessary."

"Nope. I'll go with yuh. Yuh plumb sure uh yore ground?"

"Absolutely."

"Kee—rect, then," endorsed the sheriff, ironing out the kinks in his appendage. "Let's go."

"How far is Devil's Cut from here?" one of the cattlemen demanded of Martin.

"Not more'n two hundred mile southeast uh here I should judge," calculated the Arkansas mountaineer.

"Then the rustlers passed us in the night," said Jack keenly. "They passed my bunch way over to the east—they'd never been west of Dallas Road at all. The part of the gang that—that went after Patty circled around before Spaulding could get his men going and cut eastward across Dallas Road to join the main bunch right behind my posse which had already started south. The rain helped to blanket the whole move."

"Either just behind you or just before you," agreed the elder Montague. "Well, we're ready to go. Everybody prepare for a long grilling ride. Sing Li will supply us with grub to hold us forty-

eight hours. Anything on the place is yours. We'll start in twenty minutes, all of us that can go. Now then, young man, what is your name?"

The messenger who had been endeavoring to answer query after query put to him by the eager cattlemen turned to face the rancher. He looked up wordlessly. Then:

"Yuh know Dan'l Thorston?"

"I believe not," frowned the ranchman slowly. "What about him?"

"He I daddy," enlightened the youth.

"Oh! All right, son. And you live near Poplar Grove? I'll not forget you. Now——"

"What'll we do when we git to th' state line?" asked Carruthers, who had been studying the map. "My authority stops there."

"If necessary we'll follow them to the Gulf of Mexico," retorted Montague grimly.

"*Whoopee-e-e-ee!*" shouted Curly, leading with a wild yell, and the rafters shook with the roar of lusty voices, while Carruthers looked from Jack Montague to Jed Martin and did not anticipate an enjoyable ride.

One hour later found the troop in the saddle and riding far into the southeastern corner of the DZX rangeland. Without figuring stops for food or rest, as neither pursued nor pursuers would waste any time, and allowing the rustlers a full twenty-four hours' start with the cattle it would take forty-eight hours to overtake them. They

based this estimate on the theory that they would be able to travel approximately twice as fast as the bandits hampered with a great herd.

They rode hard despite the sheriff's continual insistence that they save their mounts. As the hours passed and they penetrated deep into the country, fording streams and crossing lands that even Harrison had never traversed before in a lifetime spent in the Southwest, as they entered the broken country unknown to them where even the plainsman's sense of direction deserted them, they saw the wisdom of having Martin the mountaineer to guide the expedition. Thus, dawn found them a number of miles closer to the mountains.

"Gosh! Th' goin' must of been great 'long here with uh bunch uh cattle," grunted Frank as his horse slid down the crumbling side of a torrent-washed gully.

They passed out of the rain belt and neared the state line—the homestead of the Thorstons. They had picked up the wide cattle trail in the mud, but here they ran across the first traces of laboring cattle. A dead steer lay at the bottom of a little draw.

"Damn!" swore Harrison at the sight.

Montague merely compressed his lips and glanced at the other grim-jawed cattlemen riding near him. Jack rode with his eyes fastened on the rising hills before him, a strange glassy expression in his eyes. Martin glanced at the dead animal and carefully shifted his battered shotgun so

that it rested more comfortably along the bony side of Hercules. He spat noncommittally and glanced at the silent young rancher beside him.

"Looks like a herd o' elephants passed along here," commented Judge Ryan.

"How about it now, Sheriff?" queried Perth heavily of Carruthers. "D'yuh at last concede that th' rustlers drove them cows this way?"

"Kee—rect," the sheriff admitted promptly. "An' we're gainin' on th' scoundrels, too."

Shortly after noon the posse crossed the line. They questioned the father briefly as young Thornton dropped out. Before night they were far up in the foothills. Dead steers became more and more numerous and that the living animals were suffering was apparent from the condition of those they were finding along the way.

Being now in the wild and hilly country of the Kimish Mountains proper, they were forced to stop because of the darkness and their own weariness. The only consolation they had was that they had gained on the rustlers considerably and that the bandits themselves would have to halt also or else abandon the cattle.

The grilling pace had begun to tell on their mounts and they were slow in hitting a fast gait at the break of dawn. Aside from this they were none the worse off for their eighteen-hour ride of the day before. All but born in the saddle the riders of the frontiers were as tough as jerked venison.

The trail led through a natural rift in the hills, ever mounting, however, and Martin began to twist in his saddle and gaze lovingly from left to right. Even Hercules nickered slightly, a flare of his long-departed colthood blazing up. The two wanderers were home again.

"Yonder's Buck Knob," said Martin once, pointing to a round summit that was barely visible through the blue haze that hung about the hills toward the east. "They's more deer 'round that mounting than yuh can find moonshiners in th' whole range uh hills."

"The going is getting worse, men," commented Montague later. "Pick your way carefully. Have any of you been counting the fallen steers?"

"One hundred and seventeen so far," responded the DZX foreman immediately. "Oh, jes' wait till I get my hands on them beef murderers."

They rode on in silence for a space, a silence of creaking leather, striking hoofs and blowing horses as the cavalcade of nearly one hundred riders wound up into the hills.

Martin had just opened his mouth to say something when the silence of the mountains was shattered by the echo of two shots which were fired so close together as to seem almost as one.

CHAPTER XXV.

THE SHORTCUT

“**B**USINESS is pickin’ up with somebody,” declared Perth, drawing rein and holding up his hand. “I guess we’re closer to th’ rustlers then we ’lowed, Montague.”

“Have yuh figured out jes’ how we’re going to tackle ’em?” queried Rankins.

Montague glanced toward the man in the van.

“Hadn’t we better call a halt and send a scout or two ahead, Martin?” he asked.

“Not yit,” the mountaineer returned. “Them shots was two mile up in th’ mountings if they was uh yard. Th’ echain’ fools yuh in th’ hills. I’ll tell yuh when to stop.”

“Describe the country hereabouts a bit. Where are we now?”

“Ten mile ahead is th’ Pot an’ Kettle, but them is sure some mean miles.”

“Then how an’ why th’ hill do th’ spalpeens go there?” demanded Judge Ryan irritably.

He was feeling the terrific strain of the journey and making it heavily felt by the big mare he rode.

“Devil’s Cut is deep an’ narrow. They could hold it fer uh long time, plenty long enough fer ’em to re-brand an’ rest up th’ cattle in th’ valley behind ’em. Then they can leave out th’ south

end an' make fer th' level lowlands uh south Arkansaw."

"It seems that we are playing a losing game then, according to your statement," frowned the rancher.

"Nope. Not now," responded the Arkansan. "'Cause they ain't gonna beat us to Devil's Cut. I didn't see no reason fer tellin' yuh an' lettin' yuh worry 'bout that all th' way up here, too. C'mon. They's uh fork in th' trail two or three mile along an' right thar is th' place I wanna hold uh pow-wow."

"Kee — rect," said Carruthers. "Now yuh're shoutin'."

The promise of quick action stimulated the entire posse and they pushed forward rapidly. It was at the fork in the trail, where a slowly rising ridge divided the two roads, that they also found the answer to the revolver shots. As they rode up Martin was talking.

"Now then, yuh see they took th' righthand road 'cause that one leads right down into th' narrow valley. Yuh see it's pointin' south now. It curves 'round toward th' east agin an' runs purty nigh even with this lefthand fork but th' mounting here is between 'em. Th' ridge startin' here is Backbone Ridge an' it gits steeper an' wilder as th' roads separate. Th'——"

"*Whoa!* What's laying there in th' trail?" interrupted Perth, pointing with his rifle to an object ahead of them.

"Another steer," gritted Harrison. "They've taken to shootin' 'em when they slow up."

"Steer me legal diploma," snorted Ryan. "Ye're steer crazy, Jim Harrison. That's a ——"

"*Man!*" several of the vanguard chorused with the judge.

The troop pulled up, and Frank and Curly sprang to the ground beside the still figure in riding boots that lay face downward almost in the fork of the trails.

"Everybody else stay mounted," called Harrison quickly, wise old Indian fighter that he was. "Mister Perth, yuh better take five or six men an' ride uh hundred yards up one fork. Mister Spaulding, yuh better do th' same for th' other one. Mister Waymire, watch th' backtrail. This'll block any surprise that might be arranged for our particular benefit."

"Right," endorsed Bill Montague. "Although I hardly anticipate an ambush as they have no idea we are this close."

The detailed men rode quickly up the trails. Carruthers, in his office as sheriff, started to swing off of his horse just as Frank rolled the inert form over.

"Tilby! Th' Kentucky gambler!" exclaimed the surrounding circle of horsemen who could crowd close.

Carruthers nearly fell from his horse in his violent surprise. "W—what's that?" he fal-

tered. "Tilby? Th' sonuvagun!"

Frank placed his ear to the gambler's chest.

"He's still alive," stated the puncher. "Jim, hand me down yore flask. Mebbe we can revive him."

The sheriff remained rigid in his saddle, looking like the equestrian statue of a Russian general, while the two Montagues, the judge, and the DZX foreman quickly dismounted and leaned over the stricken Kentuckian.

A breathless and tense moment passed while Curly poured a stiff peg of raw whiskey down the throat of Tilby and Frank gently propped up his head. At length the gambler's eyelids fluttered and a very faint color came back to his lips.

"They ain't no fake about this death, Judge," said Frank soberly. "He's bleedin' to death internally."

"Tilby!" called the elder Montague softly. "Can you hear me, Tilby?"

The man's eyes slowly opened. Unseeingly he stared at the faces above him. Finally his gaze settled on the DZX ranchman. A faint flicker of recognition glowed in his glazing eyes.

"Montague," he whispered. "I told them you'd come a-helling."

"We hardly expected to find you here, Tilby," said Montague sadly. "We hardly figured that the Lebanon gamblers were in cahoots with Nightbird."

"They're not, all," whispered the Kentuckian,

his eyes dropping for an instant.

Then he gazed into the compassionate blue eyes above him.

"The raiding—the rustling—robbing—all been done by this gang," he murmured. "The main gang is but a little ways ahead of you. But you'll have to clean up MacGregor Gap—day-time quarters of the gang. I've never been there, but I know."

"Patty Blaine?" crisped Jack Montague, and the gambler's eyes rested for a brief space on the face of the young man, an odd expression in their depths.

"And I warned Owens to stay clear of you," he whispered. "You've got a blazing soul that will consume your enemies. But I'm square with you. That's how I got mine—the girl. She was taken as uh ruse but Nightbird is infatuated with her. I objected to that part of deal—I told 'em it would arouse countryside—they wouldn't listen. Then yesterday the Mexican began making advances to her and she was frightened. Somehow, she appealed to me," and Tilby smiled a crooked little smile.

"Today—at the fork here—I could see no better place—I took stand against the chief here. The gang didn't care—they wanted the cattle. I demanded the girl's return. Nightbird drew his gun. We fought—I lost. Tried to help, Montague, but it was too late—too late," he finished piteously, his pleading eyes swept the face

of the ranchman, beseechingly.

"Sure an' I don't quite get th' hang o' this?" rumbled the judge. "Do I follow you, Tilby, thot th' Mexican is or is not Nightbird?"

"Is not," whispered the gambler. "Is lieutenant only."

"Ask him does he know who Nightbird is," suggested one of the ranchers.

"I know," flashed Jack, and the sheriff looked at the speaker queerly

"D'yuh know who Nightbird is?" questioned Curly of the wounded man, enunciating the words clearly.

"Of course," breathed the Kentuckian weakly.

He slumped down and Curly quickly plied the flask.

"It was a good—scheme, but it didn't work out—somehow," came Tilby's voice at length in labored accents, faint and barely audible. "I was—afrail—McQuirey—Nightbird——"

His voice trailed off indistinctly.

"So McQuirey is Nightbird," cried Carruthers triumphantly, seizing upon the confused words of the gambler. "Kee—rect. Kee—rect. I told yuh. See?"

Tilby's head drooped slowly forward onto his chest.

"I'm sleepy," his voice came drowsily, whisperingly. "I tried to—help—Montague——Heah cums th' cunnel, suh. I been waitin' heah an houah for yo'. That black rascal Tom tol'——"

His form quivered slightly and he sagged limply.

"It's dangerous to leave uh wounded man what ain't dead on th' trail behind yuh," remarked Martin cryptically.

"Kee — rect," agreed Carruthers heartily. "Let's git to goin'."

"You two boys go call Perth and Spaulding back," Montague directed crisply to Frank and Curly. "Now then, Martin, what is your plan?"

The mountaineer squatted in the dust of the trail. Jack Montague carried the body of the Kentuckian to one side of the road and returned to hear the discussion.

"If we split an' part uh us rides ahead an' beats 'em *th'ough* Devil's Cut, we kin bottle 'em up *in* th' canyon instead uh them holdin' us out at one end. Lemme show yuh how I mean," and he drew a crude outline in the trail with his forefinger.

"How far are we from Devil's Cut right now?" demanded Jack.

"By follerin' th' rustlers, 'bout eight mile. By goin' this left trail toward th' settlement uh Rocky Ridge an' cuttin' across Backbone at Cinnamon Gap it's all uh seven mile an' th' goin' is turrible. But we kin make it an' beat 'em thar."

"How far ahead do you figure the rustlers to be?" asked the elder Montague.

"Not more'n three mile."

"That leaves five miles for them to go while

we have seven. But you say the going is bad across Backbone?"

"We kin make it," declared Martin confidently.

Montague looked at the men about him.

"That's clear," said Perth. "How'll we ride?"

"The DZX bunch will ride ahead and block them," announced Jack decisively. "Let's ride."

"All right," agreed Spaulding. "Yuh boys go on. We'll trail."

"Sure," concurred Rankins. "Th' DZX hoses are uh bit fresher by several miles, too."

"Very well," agreed Bill Montague. "We will cut them off from their stronghold. You men ride hard and be sure to overtake them just as they reach the canyon or, when they find the lower end blocked, they'll be liable to back out and get away through Cinnamon Gap—the way we go in. They would lose the cattle but we would lose them—and Patty Blaine."

"What are you figuring on doing with them after we bottle them up?" demanded Jack. "How are we going to get Patty away from them?"

"They will probably surrender," said his father. "In case they don't—" he paused.

"They'll wish they had," finished Jack tersely. "Don't do any dangerous firing, men, until we come to some further decision."

"They is uh rift in one wall 'bout half way down th' gorge," stated Martin slowly as he strove to re-visualize the spot. "This rift opens

on uh big round hole which is like uh straight shaft which runs up to th' top uh th' mounting. It is called Devil's Hole an' it sure is uh bleak lookin' spot. If they's much fightin' th' rustlers'll prob'bly put th' gal in thar. They won't want her to git hurt none."

"But how are we gonna hold further discussions, with th DZX bunch at one end uh th' cut, us at th' other an' uh gang uh rustlers an' cattle between us?" demanded Waymire who had ridden up from the rear to enter into the discussion.

"They won't be no cattle thar," stated Martin. "Th' posse ahead will have to let them on th' ough an' then close th' mouth uh th' canyon. As for further arrangements an' gittin' together, jes' leave that to me."

"Let's go," cried Harrison.

"Kee — rect," saluted the sheriff. "We'll ride ahead. Which way yuh goin', Jedge?"

"Sure an' I guess I'll be bringin' up th' rear," stated Ryan to the company in general. "Maggie can say she's tired today an' I'll not be disputin'."

The two posses split and rode rapidly along the diverging forks, Judge Ryan urging his protesting mare in the wake of the larger and pursuing band of riders.

The mountain craft of Martin came into evidence as the DZX punchers turned from the trail and rode up Backbone Ridge toward the rift he had called Cinnamon Gap. He led them over land that had never felt a horse's hoof before,

over rocky woodlands that they could never have traversed had not the mountaineer been there to judge and to choose a way. Cinnamon Gap proved to be very little except a name.

As is quite often true in the mountains, when they passed out of Cinnamon Gap and gazed down on the narrow valley below them, although they had gone forward continuously, the land looked so identical with that on the other side of the ridge that they could easily have imagined they were facing north instead of south.

The shadows were lengthening and their time limit was growing short. Pausing only long enough to breathe the winded horses Martin led the way down the mountain slope, finding a path where there was none. He gazed toward the west along the wooded side of Backbone Ridge and held up his hand for silence as he listened. A faint rumble was audible. Then he pointed to the eastern end of the narrow valley below them where, at a distance of several hundred yards, Backbone Ridge rose sharply and the mountain slope on the other side of the valley leaned closer as though to whisper a momentous secret, giving the basin the appearance of a lop-sided bottle. The neck of the bottle was the narrow cleft between the two great hills.

On each side of the narrow gorge rose a lone, gigantic rock, somehow separated from the mountain slope behind and bearing a misshapen resemblance, one to a great pot and the other to a

kettle. In the mountain stillness with nothing but that ominous rumble, in the growing gloom that gathered above Devil's Cut, they looked in very truth like infernal cooking vessels.

"Waal, we beat 'em here," grinned Martin. "Now, that canyon is about uh hunderd yards long an' it opens into uh real purty valley where Backbone an' Smoky over thar spread apart agin. We better git thar."

"We'll hurry through and take up positions out of the way of the cattle," said Montague. "Then, as soon as the steers run, we'll blockade the end of the canyon. I want to see how it looks on the other side."

"Kee—rect," nodded Sheriff Carruthers. "So do I."

CHAPTER XXVI

RETRIBUTION

BACKBONE RIDGE proved to be very uncompromising and continued on in nearly a straight line along the second valley. Smoky Ridge was the mountain that drew back and allowed a wider basin at its feet—drew back from Backbone Ridge as though to watch the effect on its neighbor of the secret it had told. Smoky Ridge proved to be the gentler mountain in appearance also, its height at this point not being over three hundred feet above the valley floor and its summit seemed smooth as a meadow in comparison with its wilder and unkempt looking neighbor.

The DZX riders spent several precious minutes grouping themselves out of the way of the wildly running steers yet close enough to block the canyon when the last steers had run. The thunder of thousands of hoofs swelled in volume and echoed weirdly down the pass.

“Where’s Carruthers?” demanded Harrison.

They looked around startledly. The sheriff had disappeared.

“Could he have slipped in to look at that peculiar formation they call Devil’s Hole?” suggested Frank.

"Hardly," vetoed Montague. "It would be too dangerous. Some foolish steer might veer and take a notion to run in there. If so, in half a minute there'd be a deadly crush."

"An' Martin! Martin's gone, too," bawled Curly. "Where's Martin?"

Without a word Jack Montague mounted his horse.

"Where are you going?" demanded his father immediately.

"Don't you realize why Carruthers rode on ahead with us?" replied his son. "As soon as we found Tilby in the trail I knew who was the head of this Nightbird gang. That blackleg stunt was just a clever trick and so was the murder of the station agent—just to look like mean revenge and to blind us to the real purpose of robbing and rustling.

"Who owns the sheriff? With whom is Tilby connected? Why should Nightbird hate Blaine enough to shoot him down and raid his place? What devil is infatuated with my girl? I denounce Horsehead Owens as Nightbird and I'm going after that sheriff right now before he can lead the bandits out through Cinnamon Gap."

"By God!" breathed Harrison. "No wonder Carruthers never was able to catch Nightbird. No wonder he was tryin' to lay it off on poor McQuirey."

"You're right, son, you're right," endorsed Montague. "The puzzle picture is now complete.

But it's too late now to attempt to go back looking for the sheriff. It means death to be caught in the canyon by the steers."

"Yep. We gotta wait now," added Harrison. "Here come th' cows already. Mebbe th' sheriff won't be able to warn 'em ahead of th' other posse. Don't startle 'em, now, boys. Start 'em to millin' an' we'll have uh jam started an' Devil's Hole will be full uh deviled ham."

True it was that Sheriff Carruthers had been in a terrible quandary since the determined pursuit had been undertaken. That the message of the Thorston boy had saved the posse many hours and, correspondingly, lost the same number for the raiders, making a double total in favor of the posse, could not be denied. He had been taken quite unawares and unprepared and had had no time to go anywhere for advice or instructions. And who had it been who had tipped Montague off, sending a note by the Thorston brat? It was the same double dealer who had warned him about the bank business.

That had startled them all, Nightbird included. They were still looking for the traitor when this last big deal was put over. It was put over so swiftly that the traitor had not had time to stop it. Yet he was enabled to send word to Montague later. And the identity of this unknown had puzzled Carruthers exceedingly until the posse had come upon Tilby. Of course, it had been Tilby

although Montague had refused to say so. Damn Tilby for a white-livered skunk and also that Thorston kid.

Personally Sheriff Carruthers was in quite a predicament. He had been forced to ride like he meant it and his futile attempts to slow the posse by sparing the horses had met with no success. His nervousness and uncertainty had gradually been increasing. When they had found Tilby, he had become nearly frantic, because it was just a step from the inclusion of Owens and the gamblers to rank suspicion regarding the sheriff. When the posse split and he rode ahead with the DZX outfit Carruthers was very sick at heart.

But in the heat and excitement of pursuit he was unquestioned. Then, as with the others he gazed down at the mouth of Devil's Cut, had come inspiration. In that moment he rose to the height of his mental capabilities and saw the solution to his problem.

He had realized for some time that the cattle were lost to the rustlers and so was the girl. The bandits could hardly hope to escape with whole skins now that they were caught between two fires. Humanlike, he cursed them for making such a big play and placing his position in danger. Why hadn't they foreseen that they would lose? They might have known just what would happen. The satisfaction that Carruthers would have felt, had success been assured, was conspicuous by its absence. And he couldn't switch sides and let the

rustlers be captured; they knew too much about him.

There remained but one thing to do and it was a last, betraying chance for him if he failed. He must drop out of the posse somehow, warn the outlaws of the trap ahead of them and, while the steers blocked the pass of Devil's Cut, lead or direct the bandits out through Cinnamon Gap just ahead of the pursuing posse. This would allow them to escape both factions of the posse and get safely away to country where they could disband and scatter. Whether or not he himself could return and mingle with the posse soon enough to resume his duty as sheriff depended on circumstances and luck. Anyway, he had a chance—freedom at least. The other way he had none.

Reasoning thus, he dropped slowly toward the rear and as the last man entered the narrow canyon, intent on hurrying forward, Carruthers jerked his surprised horse to the left and passed before the great pillar of rock that resembled a pot and pulled up his mount. Waiting an instant to see if he would be missed and if anybody would return to look for him he pretended to be looking and listening for the oncoming cattle. Somehow, this wasted play acting with no one but himself to see, soothed the tumultuous beating of his heart and made him feel as though his deception could not be observed or termed as such as long as he pretended to think he was watching for the steers.

He began riding up the valley at last, searching

feverishly for the spot where the posse had come down Backbone Ridge. Every place looked alike to him, there seemed to be dozens of places where cow ponies had descended and the muttering thunder of the oncoming cattle beat against his eardrums until he thought he would go mad. At length he found a point which seemed to offer more than a bare foothold and which appeared to allow space to ride up toward the mountain crest.

Forcing his gasping horse up the incline he made, in a sharp diagonal, for the thicket which he was certain concealed Cinnamon Gap from below. He had barely gained his objective before the first of the hard-run steers came lumbering into the little valley from the trail toward the west. Carruthers dismounted and clutched his beard, muttering nervously to himself as he anxiously waited for the cattle to enter and block the narrow canyon. He would try to warn the rustlers in protection of his county office. Failing in this, he could go on by himself and make his way northwest. He had always wanted to go to Montana or Wyoming anyway.

The steers—and steers in such a condition as to make a cattleman cry—began milling and turning uncertainly at the neck of the little valley, shying away from the forbidding cleft before them. But as the hundreds and hundreds behind them pressed forward, literally filling the valley from slope to slope with a sea of tossing horns and restless bodies, with more steers yet to enter

the little vale, the very weight and momentum forced the leaders into the neck of the bottle.

"Ah!"

Carruthers breathed aloud, almost sobbing in his relief. It would be only ten or fifteen minutes before Nightbird and his men came into sight now and he twisted his beard ecstatically. He reached nervously into a breast pocket for one of the long black stogies he enjoyed chewing on.

"Uh huh! Yuh are uh dirty traitor jes' like I figgered, huh?"

The guilty Carruthers whirled so quickly that his tired horse jumped. He stared in heart-gripping anguish up the slope. At a point a few paces above him, leaning calmly against a blackjack pine, his short shotgun pointing unpleasantly toward the sheriff, stood Martin. Martin, the mountaineer, who by all rights should now be penned up on the other side of Devil's Cut.

Carruthers dumbly remembered the Arkansan's words about taking care of discussions between the two posses, but to do that he would have to go over one of the mountains and he couldn't have made it under several hours. The sheriff was petrified. He could not find words to speak. He stared stupidly at his accuser, round and glazed of eye as a stunned ox. The mountaineer must have dropped out of the posse while he himself was still thinking about it.

"Mebbe yuh jes' was comin' up here to keep th' rustlers from gittin' away th'ough Cinnamon

Gap?" suggested Martin helpfully.

"Kee—Kee—rect," stammered the sheriff. "I reckoned as how—seein's th' Gap was open—mebbe they ud try—prob'bly they would of got away——"

"Yuh already got enough on yore mind. Yuh didn't need to bother none," interrupted Martin derisively. "I done moved th' Gap."

Carruthers tried to appear at ease. He tried to think of something to say which would divert Martin's suspicions. He could not. He wondered if he could shoot Martin before the other could raise and aim his shotgun. He was growing more and more self-conscious and nervous and the seconds were flying. He searched his pockets for a match he did not want. He found it and dropped his stogie. Awkwardly he stooped to retrieve it. He could feel the mountaineer's sneer at his clumsy dissembling; he could feel the other's suspicious gaze burning through his eyelids trying to read his downcast eyes. Tremulously he straightened up and struck the match, preparatory to holding it to his cigar. Then:

"Yuh're uh damn pore liar, yuh cattle-runnin' sheriff, yuh," stated Martin scornfully.

The guilty man could not restrain a start for the very reason that he had been tensing himself to hear just some such remark. He jumped and looked up anxiously, one eye on the shotgun. His long whiskers swept across the lighted pine sliver in his hand. There was a quick flare and Mr.

Carruthers' beard, his beloved appendage, his inseparable conversational aid became a pillar of fire. He yelped wildly and beat fiercely at the stifling flames with frenzied hands. The idea to slide his hands down his beard as was his regular custom, thereby extinguishing the flames, came to him too late. He saved but a remnant of his once luxurious foliage.

The rather awe-inspiring sight of a little valley completely filled with bellowing, running steers, the surrounding wooded mountains, the beauty of a gorgeous sunset, was lost on the men on the hillside. The sullen roar of the passing cattle filled the air and a great dust cloud hung in the evening light, but this also went unheeded.

Martin threw back his head and leaned almost helplessly against the bole of the tree as he shook with hearty laughter. The clumsy, pawing sheriff reminded him of a great brown bear raiding a honey tree and finding the bees too many for him.

Severely burned and surrounded by the pleasing aroma of singed hair, Carruthers succeeded in putting out the flames. The Arkansan glanced at the miserable looking man below him before going into another gale of laughter.

The laughter died in his throat, the mirth went out of his eyes, and a startled, incredulous expression came into his face. His brows drew down and he took a quick step forward. He saw a bare and glazed spot, nearly square in its outline, almost in the center of the sheriff's receding chin

which was quivering and all adance from uncontrollable nerves.

"Thompson!" he cried. "*Thompson!*"

And the veins corded on his forehead.

"*Kee—hristmas!*" gasped Carruthers, attempting to stroke together the beard which was no longer there to cover and hide his scar.

Martin's face worked spasmodically. His breath came in short jerks. He seemed to have forgotten the gun which hung loosely in the crook of his right arm.

"Thompson," he sobbed, "yuh left him layin' thar. Yuh thought he was dead but he lived fer four days 'thout no water even. Yuh made him suffer worse'n I kin make yuh suffer—an' jes' fer uh team uh hosses. Yuh left his woman 'thout no man; yuh left his babies 'thout no pappy. Yuh——"

"Huh?" demanded the amazed Carruthers as awful fear gripped his vitals.

"Yuh *murderer!*" hissed Martin. "Yuh killed my brother Hugh Martin at th' three forks."

"Hugh *Martin?*" screamed the sheriff. "My Gawd! I thought he said his name was Morgan."

Vivid, raw, leaping fear suddenly vitalized his muscles and his revolver seemed to jump from its holster. But his speed availed him nothing as the Arkansas mountaineer is deadly effective with a rifle or a shotgun.

The muzzle of Martin's gun swung up in a perfect arc.

“It’s th’ same gun, Thompson,” he said as he pulled both triggers.

And the outlaws entered the valley just in time to hear the two-noted bellow of a shotgun.

CHAPTER XXVII

DEVIL'S HOLE

SCARCELY had the echo of the shots rolled away into silence when the rustlers were fairly in the valley and peering upward at both mountains with guns drawn. But nothing remotely human was visible to their straining eyes. Martin had withdrawn behind the scrubby growth that Carruthers had thought masked the mouth of Cinnamon Gap and had taken the riderless horse with him.

In the van of the hard riding gang, upon a horse between a lithe and graceful Mexican and a fair-haired youth of classical features and pale blue eyes, rode Patty Blaine, nearly blinded and suffocated by the thick dust despite the silk handkerchief the Mexican had forcibly tied over the lower part of her face.

Her features were drawn and wan, still showing the trace of the tears the passing of Tilby had elicited. Her hair was tumbled and her form drooped with weariness. Her linen dress was crumpled and wrinkled. But her tragic eyes burned with a steady flame that fright, terror, and fatigue could not quench or subdue.

There were thirty-nine riders in the band, including the girl. Bringing up the rear rode an

athletic form which, like the more slender Mexican in the lead, was covered with a black riding cloak. In addition this form, which sat its horse like a centaur, was completely masked by a close fitting black domino. He radiated an air of dominant ruthlessness and lethal efficiency which was pronouncedly felt by those about him.

A floundering heifer caught his eye and he unslung his carbine to shoot. As soon as he observed that the unfortunate animal's leg was broken he lowered his gun. Why shoot anything that would die anyway? Why cut short its suffering?

As the sullen roar of hoofs lessened in the valley because of the blanketing effect of Devil's Cut a new sound broke upon their ears, the sound of horses' hoofs *behind* them. The cloaked rider with the unslung carbine whirled in his saddle and strained his eyes through the thick haze of dust and gathering night. He could distinguish nothing, but the sound grew plainer.

"We are followed," he called in a penetrating, keen, unpleasant voice. "Through the canyon and deploy, half to left and half to right. Diaz take charge. Cherub take care of the girl. Ten men halt at this end to hold the canyon with me. Ride, you ————," he finished with a string of horrible nasally intoned curses.

They thundered in between the Pot and Kettle and Nightbird halted with the ten men he had ordered to remain. They could see the indistinct

forms of their pursuers now and they laid rifles across saddles and began firing at the vague figures. The masked man smiled cruelly beneath his mask as he heard the agonized scream of a horse and the hearty curse of a man.

"We've beat the ——— ——— ———," he whined in his high voice. "Start building a barricade here, five of you. The other five fire at anything that moves. We'll hold 'em till doomsday."

The pursuit seemed to have ceased and the rustlers began hurriedly rolling stones together to block the canyon. Night was coming on with a rush and Nightbird mounted his horse to ride forward.

"Send for me if anything develops," he snarled. "Otherwise you'll be relieved at midnight."

A sudden outburst of firing from the other end of the gorge startled him and he spurred his horse cruelly to a reckless gallop down the gloomy canyon. He had just passed the four foot opening of the rift in the canyon's right wall and had glanced sharply within, unable to distinguish much but surprised at the amount of space he saw there, when a panic-stricken bandit came back to meet him in a shambling run.

"Nightbird, we're caught," the man sobbed. "Th' cattle went through th' canyon, but when we was follern' there was uh bunch uh shots met us. Grant an' three more was killed an' one or two was wounded."

"Fired on — with the girl there?" whined the leader.

"She wasn't there. Cherub was bringin' her along slow 'cause yuh had th' canyon blocked. He didn't see no need uh hurryin'. But they's uh big posse ahead uh us. We're caught like rats. What'll we do? What'll we do?"

"Fight," snarled his chief as he jabbed his spurs home to his spent horse, which cruelty galvanized the tortured animal to one supreme effort.

He galloped down toward his trapped men. He found them behind a barricade hastily formed of their horses. One burly ruffian stood over the girl who was somewhat in the rear of the impromptu living breastwork. The Cherub was engaged in firing at the unseen enemy while the Mexican was on his way to meet his superior.

"Senor Nightbird," he said rapidly, "thee canyon shee ees too straight to defend, don't you theenk? They weel rake eet wit lead from end to end before daylight. How about thee reefteen thee wall? Where shee lead?"

"We'll find out now," rejoined Nightbird, and he whirled his mount to ride back.

But the willing animal had given its all and it fell within its own length. The rider cursed horribly as he narrowly missed an ugly fall and kicked the dying horse in the belly. Scrambling to his companion's side he ran with the Mexican to the opening in Devil's Cut against Smoky Ridge. They halted almost in fear as they gazed into the

place, and the leader glanced at his companion in time to see him cross himself.

"Getting your nerve?" he sneered witheringly.

"No, Senor," replied the Mexican. "But I have seen more pleasant places."

They stumbled into the dark hole and strained their eyes. Diaz picked up a dried faggot and improvised a crude torch. With this they made a slow circle of the place, noting several points where they could climb up the sides as far as they could see — by exerting strength and agility.

The *cul-de-sac* was of a peculiar formation. It was evident that Backbone Ridge and Smoky Ridge had once been solidly joined together where Devil's Cut now was. In the pangs of some distant cataclysm the mountains had split apart, leaving a narrow, deep cleft between them. On Smoky Ridge's side, about midway of the gorge, Nature had further experimented by scooping out a perpendicular and cylindrical hole from the top of the mountain to the floor of the canyon like one would core an apple, a circular hole that just intersected the line of the gorge, thus forming the scant four foot rift.

The hole thus formed was an almost perfect amphitheater, nay, rather a prison. For the sides were almost vertical, exposing naught but sheer, solid rock, the seams and strata of which showed plainly. It was almost night at the bottom of this natural dungeon which was some two hundred feet across, but the sinking sun gilded the scrubby

growth of bushes around the lip at the top with scarlet fire. Devil's Hole was a fitting name for this barren shaft lost in the mountains.

"What a hellish place," whined Nightbird. "But we can hold it against an army. Only a few can approach at a time to the rift. And we can climb out before morning."

"But eef we can't?" queried the Mexican pointedly.

"There is very little doubt of that—we've plenty of rope and nerve. If we can't make it, we shoot our way out—or bargain. Remember, Diaz, we still hold our trump card, the card which that caviling gambler Tilby didn't want dealt into this game. Where'd we be now without the girl?"

"Mebbe we would steel have thee cattle and be far ahead of thee posse," replied the Mexican.

"Don't fool yourself," snarled the other. "No cattleman in the entire Southwest would stand still and see three thousand head of cattle lifted without a big scrap. I know them. Are you weakening, just because we are in a tight?" he whined nastily.

"No, Senor," responded Diaz quietly, his eyes glittering in the fitful light of his torch. "But thee men weel raise thees very question among others when they beegen to weaken."

"They won't have time to weaken," Nightbird's nasal whine shrilled. "We'll work 'em too hard getting clear. This is phenomenal pursuit,

though. I can't understand it. I wonder if Tilby could have had time——

"Go take command at the Pot and Kettle," he concluded abruptly. "I'll go back to the lower end and post several men with the Cherub. When I give the signal, you both fall back to this rift."

The Mexican saluted and slipped quickly out and up the canyon. He found the rear guard in a nervous state. They had heard nothing to explain those shots down the canyon and the lack of offensiveness on the part of the pursuers worried them. His presence steadied the men and upon demand he calmly told them of the calamity which had befallen, subtly suggesting that they were completely trapped and would probably have to surrender and that to do so peaceably would count in their favor.

His gloomy forebodings so affected them that when the eerie whistle of a night bird sounded twice down the gorge they fell back quickly toward the rift they had not yet seen. The incipient panic that possesses even the bravest man's soul when he gives himself over to terror gripped them and they ran through the darkness, fright urging them to greater speed. The Mexican actually grinned as he more slowly followed them, pausing now and then to listen for any sounds of stealthy pursuit.

Several small fires of driftwood from the canyon had been made and groups of tired and hungry men were preparing to eat what remained

in their saddlebags. They did not want for water as their canteens had been filled at the last-forded stream. Four men were busily erecting a fairly solid barricade across the mouth of the rift out of loose rock and boulders brought in from the floor of the gorge. Others were examining the weary and hungry horses.

Behind one fire that was built close to the wall to the right of the opening sat Patty Blaine. She leaned wearily against the hard rock behind her, utterly unmindful of the masked figure that stood across the fire from her and studied her so intently, watching the flickering shadows play across her graceful white throat.

Ever since her abduction a constant fighting of wills had been going on between these two. Patty hated this man as she had never dreamed she could hate any person. The very nearness of his presence filled her with loathing and horror. He was vicious, mean, poison all the way down to his black heart, this wanton pistolero of her father and then of the one man who had attempted to protect her today.

Steadfastly she had refused to speak to him, to notice him, to recognize his presence whenever he drew near. Her mind was filled with the stunning blow she had received as she had seen her father clutch at his heart and fall with his face in the bowl of candied sweet potatoes. Something constricted her throat whenever she thought of this pathetic little touch.

She wondered what Jack had said and done when he learned of the outrage. With a twinge of happiness she knew he would scour the country for her and woe be unto her captors when at length he got his hands on them. Except for four short hours the previous night they had been on the move continually and now this respite was so wonderful that she almost fell asleep where she sat.

Her studied indifference and silent scorn stung the naturally egoistic man to the quick. She had carried herself so confidently when there had been not the slightest seeming chance of a rescue that now, when rescue seemed so near, the man knew what triumphant thoughts were behind those closed eyes, and he wanted to hurt, to crush, to beat down that tired but dauntless spirit which opposed him.

As he stood regarding her through his mask, realizing that if there were no chance to gain the top of Devil's Hole he must surrender the girl in the morning in exchange for his own liberty, his eyes narrowed uglily. And because of the situation, Patty feared him tonight as much as she hated him.

Her mind was going over and over the acute danger she was in and casting about for a buffer or a shield to be used against this demon who gazed down at her so steadily. She thought of the youth called the Cherub. That he was egoistical and ambitious for leadership she had seen.

But could she get him to clash with Nightbird while they were in such a predicament? And if so, what should she do if his blood became inflamed? What would be her position with him?

There was the Mexican. But he had started smirking at her the day before until she had felt ready to scream. She couldn't trust him. The rest of the men were far too fearful to try conclusions with three such men over them unless they acted in a body. And could she induce them to act in single accord? How could she even attempt to make the rounds of all those brutal, filthy male animals? How could she even wildly imagine that she would be allowed to seek out each man unmolested?

"Will you partake of our peasant's fare, charming princess?" whined the man in his horribly unpleasant and artificial voice which he used to mask his natural tones. "I regret we cannot lay before you a sumptuous fare of roast bullock as was my intention for this evening. The disturbing element of awkward louts without the battlements prevent greater freedom at present," he concluded mockingly.

Patty did not reply, but she quivered under his rasping voice.

"Speak and answer me, you stubborn chit."

She did not move. Angrily he stepped across the fire and caught her crushingly under the chin with one hand.

"I've had enough of this foolishness," he

snarled uglily. "Now you talk or I'll ram this gun barrel down your throat."

She opened her lips, panting for breath.

"Help!" she screamed faintly.

Instantly he clamped his free hand roughly across her mouth. Without the slightest hesitation she bit down, her sharp little teeth cutting into the flesh like a knife.

Nightbird released her throat with a curse, banging her head cruelly back against the rock to release his hand.

"Damn you!" he shrilled, wrapping a silk handkerchief about his injured left member. "Ritchie! Come and watch this she-devil until I relieve you myself. Cherub, hunt for a recess or a crevice of some kind in the wall where we can put this tigress. If she moves, Ritchie, lay her out—cold. Diaz! Take charge at the barricade."

The circular pit became the scene of bustling activity as variously assigned duties were performed. The growing ill-humor of the men at their plight was stayed for a time. Nightbird himself began making a careful examination of the walls of their prison.

The Cherub found a sizeable hole which answered for a cave, fortunately out of direct line of fire from the rift. After the leader had explored it himself and found it to be but a blind crevice in the rock, he rudely ordered the weary girl to go there and to stay there. The man,

Ritchie, sat cross-legged at the mouth of the opening to guard her and the stench from his unwashed person made her weak with nausea. Yet, she shivered every moment in anticipation of the time Nightbird might assume guard himself when his other duties were attended.

She felt cautiously about her, hoping against hope that she might find something her captors had overlooked. She found that the crevice extended back several feet and had a fairly level floor. She crouched down at the rearmost corner and wide-eyed she watched the activities of the rough men who passed to and fro. She knew she could not sleep in the presence of such danger as encircled her. Besides, the stony floor was hard and unyielding and there was a musty odor as though some animal had once used this hole for a den. So she sat rigid, arms wrapped about her knees, and thought.

She started violently at the sound of shots from the rift. There was an answering fire from out in the canyon, the echoes ricocheting from wall to wall of the deep gorge. A number of bandits ran toward the opening as reinforcements.

From that moment on there was continual rifle and revolver fire, an occasional slug of lead *spatting* dully against the wall some short distance away from her. There was no lull in the firing which at times grew hotter. Several men with torches began making the rounds of the pit with Nightbird, carrying ropes and talking together.

Patty could distinguish sounds of climbing and sometimes the voices came from a number of feet above the floor of the shaft. But always they returned to the ground, cursing and hopeless.

She knew that she could not sleep with all of this going on. She did not want to sleep. Who knew just when she might have need of wide-awake faculties? But overstrained, Nature asserted herself. Slowly, in spite of her determination to remain awake, Patty's head nodded. Her tumbled hair swept forward, forming a veil before her trim little ankles, and she slept, lulled by the very shots she had thought would keep her eyes open.

CHAPTER XXVIII

TRAPPED

AFTER the first volley fired at the rustlers as they followed the cattle from the mouth of the canyon when four of them had fallen and the bandits had withdrawn in confusion and made a breastwork of their horses, the DZX men were afraid to fire again in volleys as Patty Blaine might be somewhere in range of a stray bullet. Sprawled behind boulders and scrubby trees, the punchers began edging carefully forward.

It was some time later in the darkness that Harrison made a stealthy reconnoiter when there ceased to be answering shots and found that the rustlers had quietly drawn back into Devil's Cut. The punchers accordingly closed in on the mouth of the narrow canyon.

"Now then, what?" demanded Curly.

"They are corked up in the bottle," said Bill Montague. "We'll wait for the present until we hear from Martin."

"Can they git out?" asked one of the restless punchers.

"Only into Devil's Hole, and you heard Martin describe that."

"I wonder if Carruthers is with 'em?" mused Frank.

"If he is, he'll wish he ain't," stated Harrison grimly.

"No smoking, boys," said the rancher suddenly. "It's nearly black night and they can see the glow of your cigarettes. There'll be no fires either. We eat what remains in our saddlebags, if anything remains."

"Where's Jack?" demanded Sleepy Stearn, now very much awake. "I thought I seen him over here by me."

"Jack!" called Harrison at once in a guarded, uneasy tone.

There was no response.

"Are we gonna sit here an' do nothin'?" demanded Curly impatiently.

"For the present, for the present," repeated the elder Montague worriedly. "We can do nothing but get shot by butting in there with no definite plan of action."

For a time there was silence save for the munching of numerous jaws and the occasional gurgle of a tilted canteen.

"Jack's done slipped off up th' canyon," stated Harrison at length. "I'm gonna foller an' see what's goin' on back in there."

"Yuh kin all foller in thar now," said a voice out of the night. "Th' rustlers is all inside uh Devil's Hole an' buildin' uh stone wall at th' rift."

"Martin!" called the ranchman quietly.

"Here I be," stated the Arkansan calmly.

"Yuh sonuvagun!" exclaimed Harrison admiringly. "How'd yuh slip up on us thataway?"

"I slipped down on yuh," laughed Martin. "I jes' come down th' mounting. All yore punchers was makin' noises like mules in uh corn field an' yuh jes' nachurly couldn't hear me. I been watchin' 'em from th' lip uh th' crater up thar. They jes' found uh li'l cave to one side uh th' rift an' they put th' gal in there. They're workin' like uh pet coon after bugs in uh corn row, tryin' to find some place whar they kin climb out. Yuh kin git close now an' pepper 'em fer all yuh're worth. Th' gal won't git hurt none."

"They ain't nothin' real definite in that," objected Harrison. "We can keep that up 'till we finally starve 'em out or run outa bullets an' that'll take uh long time."

"Yep. Yuh're right," admitted Martin calmly. "But I'd advise yuh to do some purty heavy firin' an' do all kinds uh things to keep 'em *all* busy 'till mornin' comes an' we kin do somethin'."

Several punchers sucked in their breath audibly as this idea went home. Then:

"C'mon, cowboys," said Frank tersely. "We'll keep 'em so busy loadin' it'll wear th' ends uh their fingers off. An' if necessary we'll storm 'em an' take their playhouse away from 'em."

"They got us in their power yet," cursed Harrison softly. "Oh th' devils."

"Not exactly in their power although it is true we may have to strike a bargain with them," re-

gretfully spoke Bill Montague as they turned to him for guidance.

"No!" came Jack Montague's metallic voice from the depths of the canyon behind them. "There will be no bargaining. Patty is safe, Dad. Have you forgotten?"

"No, I haven't forgotten," replied the ranchman quietly. "Have you been up the gorge?"

"Yes, sir. They are impregnable here. But I am going to capture them somehow before tomorrow. They'll be out of water by morning and I am not going to have Patty suffer anything more."

"If th' gal's safe enough, yuh kin sure git 'em," agreed Martin. "Listen once while I tell yuh how."

Patty Blaine came to herself with a start to find that she was cold and numb, with a cramp in her neck. It was dawn and a thick white mist filled Devil's Hole so that she could not see five feet beyond the cave entrance. The rifle fire from the direction of the canyon continued unabated.

Massaging her neck, she crawled to the opening of her little refuge and peered out. Her outstretched hand rested upon something soft and yielding. It was a human body and she drew back quickly, thinking of the unclean Ritchie with a qualm of disgust.

Instantly the form of a man arose from across

the opening of her little cave and smiled down at her in the half-light. She could hardly repress a shriek of fright as she recognized her guard.

"Ah! Good morning, *Senorita*," he greeted. "You sleep well? Ah, you are cold. Plees take my cloak. *Tck! Tck!* How utterly thoughtless of me. You weel excuse? I have so many theengs on my mind I forget. *Senor Nightbird* has been very busy quelling a mysterious mutiny wheech took form during thee night. *Si*, take eet. I eensist. Eet weel be a slight protection against thee chill unteel thee fog shee leeft."

The Mexican had quickly removed his cloak as he spoke and now he tossed it about her shoulders himself as she kneeled in the cave mouth staring fascinatedly up at him. This done, he turned his back upon her and seated himself squarely in the mouth of the opening.

Patty shrank involuntarily from contact with the rich cloth but its folds were gratefully warm and she reluctantly wrapped it closely about her chilled frame. So *Nightbird* had been busy subduing a mutiny. And where was the man *Ritchie*? How long had the Mexican been there at the entrance to her shelter and why?

She studied the lithe back before her with its short braided jacket. On his right side she observed the slim, graceful handle of the long-barreled pistol that rested so snugly against his thigh in its tied-down holster. On the left was the keen, slender knife in its sheath. She couldn't

help thinking how everything about this debonair rascal seemed to take on his own characteristic of grace. She speculated and wondered deeply, all the while the light growing stronger.

The handle of the gun riveted her attention. Could she creep forward unheard and snatch it from its holster? If she could—and did, what should she do with the Mexican? And with him disposed of, could she escape all or any of the others? She did not know, but at least she would be armed and not quite so helpless. Even as she considered such a move Diaz turned his head and smiled pleasantly.

“For two days I do not have thee chance to talk wit you,” he stated. “Eet ees not thee chance now. But I say to you, don’ you be ’fraid, Senorita. Whatever happen, you stay een here—far back een corner. I weel try to keep you here. But *quien sabe?* I theenk much weel happen shortly. Take thees knife so eef you need heem——”

He shrugged prettily, suggestively, and flipped back at the astounded girl’s feet the long, keen stiletto from his belt.

She gazed at him, dumfounded.

“Pick eet up! Queeck!” he commanded sharply, and she slowly grasped the cold steel weapon and drew it under her cloak.

Calmly he turned his back to her again, placing his life in her hands. Patty felt that she had made some kind of an error in her judgment of

this man, but just how she was uncertain. He was a bewildering character certainly. What had he meant about something going to happen right soon? The posse had been attempting a passage all night. He surely hadn't meant that they were about to win through? In that case there would have been more excitement on the part of the bandits, of the Mexican himself. Were the rustlers, then, going to surrender? Had the mutiny proved successful?

The sun was rising unseen here in the depths of the mountain but not unfelt. Rapidly the master of the skies was drawing and sucking up the low-hanging blanket of cold, damp white that hung like a pall over the low points of the mountains. As the fog lifted from the floor of the shaft and climbed and billowed up the vertical walls the Mexican raised his head and followed its progress appraisingly. He leaned forward and craned his neck upward. As the obscuring vapor of white neared the top of the shaft he smiled a trifle and turned to look expectantly toward the rift into Devil's Cut.

Curiously Patty crept forward and gazed upward. What had Diaz seen that caused him to face the rift so pleasedly? As the white cloud became translucent and she could see far up the vertical shaft, the meaning behind the Mexican's words smote her full force. Of course! How simple it was! Part of the posse had climbed the mountain during the night and even now were

rimming the lip of the Hole far overhead and but waiting for the fog to lift.

With her person back in a crevice and safely out of harm's way the cattlemen could control the situation and capture every one of Nightbird's gang, holding them with their rifles from above while those out in the canyon could come in and disarm them. She was as good as rescued. The rustlers were trapped.

Then her rising hopes fell flat. A figure came running across the uneven floor of Devil's Hole even as there was a cessation of firing.

"All right, Diaz," came the Cherub's voice. "We can't make it, so Nightbird is signallin' to th' posse outside to bargain for our freedom. We've lost th' pot this hand an' gotta play our trump card. Bring out th' girl. Quick!"

The Mexican rose to his feet and faced the youth calmly. Patty clutched the stiletto convulsively. Oh, what could she do to remain here for five more minutes? Just five previous minutes to hold out to keep the murderer of her father from bargaining his way out with her as the purchase price. The beating of her heart swelled to a tumultuous thundering. As from a distance she heard the words of the surprising Mexican.

"Senor Cherub, I am ver' sorry, but eet ees impossible," said Diaz in a soft regretful voice.

"Huh?"

The Cherub was astounded at the other's statement. He stared blankly for an instant. Then,

suspicion flared up in his pale blue eyes.

"Oh ho!" he drawled. "Double crossin', eh? Now we know who has been tippin' off th' cattlemen. Now I know why yuh stepped in between me an' that smart guy that day at Mac-Gregor's. Haul out that damn female where we can shoot her if they try to take us. I'll tend to yuh later," he concluded with an ominous scowl.

"The Senorita weel remain een thee shelter you find so kindly for her last night," replied Diaz gently. "Go back and tell Nightbird eet ees best he surrender. You see? Look up at thee top of thee shaft. Eet ees too late."

"Cherub!" came the awful nasal whine of Nightbird.

The Cherub seemed to twitch only and a .45 appeared in his hand, a happy smile playing about his lips. Patty did not even have time to catch her breath before the shot came. Despairingly she clutched at her throat as she waited for her newly-found protector to fall—waited with an agony that lasted for ages.

Dimly she could see the cloaked figure of Nightbird running rapidly toward them, could see between the legs of the Mexican. She wondered dully why the Latin did not fall.

Diaz staggered back against the mouth of the cave, but he did not fall. Instead, a pitiful, startled expression crossed the Cherub's handsome, girlish face. He quivered convulsively and then crumpled to the ground in a sprawled atti-

tude. And then it was that Patty noticed the Mexican had drawn his gun and held it clamped to his hip. As is the way with most killers the Cherub had at last met a faster man.

As the horribly cursing bandit chief neared them, a ray of sunlight struck the top of the western wall. The fog had lifted.

"Hands up, down there," bellowed a hearty voice from the heights above. "Ivery mother's son o' ye. Ivery domn wan o' ye is covered entirely."

CHAPTER XXIX

NIGHTBIRD

THERE was the crack of a single rifle and a bullet flaked a bit of rock before the very feet of the running leader. He halted within three yards of the Mexican and glared upward. The entire rim of the crater was lined with riflemen.

An utter silence ensued as each and every rustler grew rigid in the position in which he had been caught.

"Drop ivery sign o' guns ye have," commanded the judge's bellow.

There was a rattle and a clatter as the trapped rustlers obeyed. Blind with rage and fury Nightbird tossed his weapon to the ground and raised his hands.

"Clear over to th' side uh th' pit away from th' hosses," commanded a new voice from the rift, and the figure of Harrison appeared on top of the pile of stones.

Sullenly the outlaws moved in the designated direction, Nightbird alone remaining perfectly still.

Diaz felt blindly for his holster and shoved his gun into it. Dizzily he leaned against the wall, his left arm hanging uselessly at his side. A

thick scarlet liquid ran down his hand and began dripping off his finger tips before the horrified eyes of Patty. The Mexican was wounded.

She crept swiftly out into the daylight beside her protector as a swarm of DZX punchers headed by Jack Montague scrambled over the half-demolished barrier opening into the canyon.

"Jack! Jack! Jack!" she screamed hysterically at sight of the man running toward her, and she went off into a gale of nervous laughter alternated with sobs and tears.

"Patty girl," he cried. "I'm coming."

"This poor fellow was shot protecting me," babbled Patty sobbingly. "Oh, how many men are going to be killed?"

Something bursted within the heart of the masked rustler. All of his plans were gone awry. He had lost the cattle; his men were captured. One of his own lieutenants had betrayed him and he was losing the woman who had fired his blood and had been the cause of this swift disaster.

He shot one swift glance at the Mexican. The man stood drunkenly on his feet, against the wall, his head on his chest. And in his holster so near the outlaw's hand was a loaded revolver.

With the suddenness of a startled deer he leaped across the Cherub's body and clasped the girl tightly in his arm and swung her before him. With his other hand he jerked the Mexican's gun free from its holster and leveled it along the struggling girl's cheek.

"Damn you, Montague," he whined in a horrible shriek. "I'll get you anyway."

He pulled the trigger but the desperately fighting girl destroyed his aim. He fired again and Jack Montague jerked queerly and staggered, but he continued to come on. Again Nightbird fired and Jack felt a hot pain along his ribs.

He was powerless to return the fire because the devil was shielding himself with a form that was most precious to Jack Montague. No one else was close enough to help but the Mexican, and he was practically unconscious on his feet.

Jack Montague did not want help. He did not want to return the fire of the masked man. He knew that he hated this man with all the power of his capable heart. He knew that he wanted to kill him, kill him with his bare hands—grasp that throat beneath that black domino and tear out the vital sinews one by one while the man writhed in agony beneath his hands. He knew that he was going to do it and he laughed aloud.

His eyes burned with an unholy flame and his fingers crooked unconsciously.

"Fire away, Owens," he exulted. "Shoot again because I am coming after you. I'm going to kill you, Owens, kill you with my naked hands. Shoot! You can't get away from me."

The bandit crushed the girl's body cruelly against him to stifle her struggles. He attempted to draw a careful bead upon the man who approached so inexorably. Once more his weapon

barked, and a red crease shot across Montague's left temple.

"Five more steps," taunted Jack purringly. "I've got you, Owens. I've got you."

His voice rose in demoniacal accents. He had walked straight into the gun, never swerving, never dodging. The watchers on the mountain above stood in spellbound painfulness. The DZX men and the rustlers stood within arm's length of each other and watched the uncanny spectacle as one man. Harrison, near the end of the line and closest to the main figures in the drama, stood rigid, gun in hand and unable to use it.

Suddenly Patty freed one of her arms and a knife glinted in her hand. The Mexican raised his head blearily just as Nightbird gave the girl a severe wrench. She uttered a cry of pain, and the stiletto flew from her hand and fell at the feet of Diaz.

Bill Montague wanted to cry out to him to seize it and stab the masked man, but his vocal muscles would not act. He would not have had time, as the action was taking place in lightning-like flashes. But the Mexican must have received a telepathic message which got to him across the numbing nerves of his brain. He leaned over to pick up the knife. But he had lost too much blood and was too far gone. He fell forward on his face as Nightbird pulled the trigger almost against the advancing man's chest.

But the move he had made to disarm the girl

of the knife had swung him about ever so slightly and three-quarters of his head became visible to the DZX foreman. Unnoticed by the others, the grizzled old Indian fighter laid his gun across his left forearm and aimed carefully, breathing a prayer as he pulled the trigger.

Never had Harrison made a prettier shot. His bullet took the bandit just above the ear, and the shock spun the man about so that his last shot against the broad chest of Jack Montague went crosswise, searing the young man's left breast and striking the face of the wall far up the opposite side.

Jack caught the fainting girl as the bandit dropped to the ground between his two lieutenants.

Harrison calmly blew the smoke from the barrel of his weapon and glanced coldly at the disarmed rustlers.

"I guess that concludes Nightbird," he said. "All yuh cow runners face about an' cross yore hands behind yuh unless yuh wanna wear uh asbestos nightshirt tonight. Boys, tie 'em up, but don't cripple 'em. We're gonna make 'em *carry* every damn cow back to th' DZX."

Bill Montague ran to the side of the fallen Mexican and propped him up against the wall.

"Thee game shee ees played," muttered Diaz. "*Viva la Deezy X.*"

"Whiskey!" called Montague and Frank and Curly brought flasks forward quickly from the

saddlebags of the rustlers.

"McQuirey," urged the ranchman. "Take a swig of this. You're worth a thousand dead men yet. Let me congratulate you and thank you."

"McQuirey!" shouted Frank and Curly in unison. "Th' sonuvagun!"

"McQuirey?" bellowed Judge Ryan. "McQuirey again? Just who in hill is this McQuirey anyway?"

"The best detective of the staff of the Cattle-men's Association," called Montague in response. "And that's the reason you didn't get a more satisfactory answer when you wrote, Waymire. McQuirey was already on the job."

While the two punchers plugged the hole in McQuirey's shoulder, exposing the white skin under his clothes to do so, Montague turned quickly to his son.

Jack stood with the girl locked in his embrace, swaying on his feet and staring stupidly down at the masked man at his feet. He did not realize that he held the dead weight of the girl in his arms. He saw nothing but the form of his enemy who had escaped his vengeance by death.

"Where are you shot, son?" queried the father anxiously. "Is Patty hurt, or has she just fainted? Come, let's revive her and examine you."

"Why—why don't he get up and fight?" said Jack thickly. "I never touched him. Is he scared?"

"The man is dead, Jack," stated the elder gently. "Owens is no more."

"*Who?*" murmured McQuirey, lifting his head from Curly's shoulder.

"Owens," answered Frank as he neatly bandaged the detective's shoulder with a shirt torn to strips. "Horsehead Owens of Lebanon."

"Give me a drink of whiskey and take a look," advised McQuirey.

Bill Montague gave his ex-puncher a queer look and with Harrison, who now came forward, rolled the form of Nightbird over. The DZX foreman grasped one corner of the black mask and ripped it from the dead man's face.

The features of Jackson the Chicago gambler mutely faced the sky.

"Well, I'll be plumb damned!" swore Harrison softly.

"Hurry, ye spalpeens, an' tie up them rascalions," shouted Judge Ryan from the heights. "There's wan divil a bit o' explainin' thot I'm wantin' meself."

CHAPTER XXX

CONCLUSION

TWO hours later the members of the entire posse were gathered before a great fire at the eastern mouth of Devil's Cut where a steer was rapidly assuming the form of breakfast. The rustlers were tied in pairs and a guard was placed about them. The tired and weary horses of captors and prisoners alike, eagerly cropped the dry valley grass along with the DZX steers.

Jack had been examined by his anxious parent and Harrison. He was found to have a minor wound in the shoulder, a seared mark on his temple, on his side, and on his chest. His injuries had been more mental than physical. How he had managed to walk straight into the fire of the crazed gambler and come through so unscathed was due to extreme good fortune as well as the struggles of the girl, whom Jackson had used as a shield, and the absence of a foresight on the Mexican's gun.

McQuirey lay in a quickly-fashioned litter, surrounded by eager listeners.

"Now, what do you want to know?" asked Montague for him.

"Th' whole story," demanded Harrison. "An' don't yuh leave out nothin'."

"Where shall I begin?" smiled the rancher.

"At th' beginnin'," suggested Curly. "Me an' Frank is abysmal in our ignorance."

"All right. You see I had been expecting some kind of trouble ever since Jack made that peach adjustment with Owens. At the first hint of rustling and robbing I sent for McQuirey because I knew that we could not handle the trouble makers in Lebanon and determined rustlers, too. It happened that he arrived upon the night that Myers was killed. Jack was in town to meet him—that's how he happened to be in Lebanon that night. McQuirey told him that he would show up the next day as a tramp puncher looking for work. Jack put him in possession of all of the details we had at our command and returned to the ranch.

"McQuirey's initials being the same as Jack's was quite a coincidence. When he was caught hanging around the station the next morning he mussed up the murder deal frightfully. His reasoning was too acute for Carruthers and hit so near the truth that he was locked up.

"When he failed to show up on the ranch that morning I sent Martin in to find out why. I had made Martin's acquaintance at Blaine's place. So Martin bailed McQuirey out and that left the detective free without my hand appearing in it at all."

"Then th' story Martin was tellin' in me office after Higgs brought him in—th' story o' a

masked man comin' to him in th' farmyard—was a fairy tale, eh?" commented Judge Ryan.

"Yes, Judge, it was," admitted the rancher. "It was told then because I was beginning to have my suspicions concerning the Lebanon crooks. We weren't sure that Owens and Jackson were implicated in this Nightbird affair but if they were, that story would puzzle them.

"It so happened that they were the brains of the entire affair and therefore Martin's story threw them in a quandary. They knew that Nightbird didn't bail out McQuirey and Carruthers went so far as to call Martin a liar before he thought. They might have suspected Pancho Diaz but he was unheard of at that time. He may have come in for a heavy grilling later, at that."

"I heard about it," grinned McQuirey.

"But, Bill, why did yuh keep me in th' dark?" asked Harrison reproachfully. "Yuh had me plumb worried to death for uh while."

"Forgive me, Jim. I don't know a soul in the world that I would trust sooner than you, but nobody in this country knew who McQuirey was except Jack and me. You see, he was joining the gang of rustlers at his first opportunity, either as McQuirey or as some one else, depending on circumstances. Had they known or heard the least thing suspicious about him his life wouldn't have been worth a snap. So because a good man's life hung in the balance I took no one into my confidence."

"I see now why Jack went back to town with th' posse," cried Frank. "It was to allow McQuirey plenty uh time to git away an' turn into Pancho Diaz."

"Yes," nodded the rancher. "He hid himself in the bunk-house while I pinned his note, to the sheriff, on the door for him."

"But why did Nightbird let him wear uh black cloak, too?" demanded Frank. "That made about fifteen more complications."

"It was for that very reason," murmured McQuirey. "It protected him."

"So it was from this same Irish spalpeen was it, Montague, that ye learned o' th' intended bank robbery? An' it was McQuirey too who left th' note at th' Thorstons?"

McQuirey smiled slightly, his white teeth showing faintly behind his little mustachios.

"I have thee honair, Senor Judge," said he. "Eet was I."

"What scoundrel shot at Jack in Hawkins' Draw?" demanded Perth. "I heard somethin' about that."

"I believe Martin can answer you that question," stated Montague softly. "His brother was far less fortunate than my son."

"Well, it was a smart trick ye played on me," rumbled Judge Ryan. "Here I run me legs off—that is, I run Maggie's legs off goin' out to get ye to make bond an' asweatin' blood for th' b'y an' there ye sat at yer desk laughin' up yer

sleeve wid th' whole shebang cut an' dried. Ain't ye a pretty wan to do th' auld judge thataway?"

"Yes, Judge, I am," admitted the ranchman frankly. "I felt ashamed about it, but I simply couldn't help it."

"Aw, g'wan wid ye, ye domn hardhead," snorted Ryan hastily.

"But there was a joker in the deck for all of us," pursued Montague. "We mis-guessed Nightbird's identity. He played an awfully smooth game—pretending to play against us in one way so he would be perfectly free to really work another game."

"In the whole case there is but one thing I really regret," said McQuirey weakly. "That was Tilby's forlorn attempt to rescue Miss Patty when he clashed with Nightbird at the fork in the trail. I didn't suspect him of so much honorableness. When he halted and demanded the return of the lady I could do absolutely nothing but sit on my horse and watch him throw his life away. I could neither help nor hinder him."

Patty Blaine sobbed at the recollection and buried her face on Jack's sound shoulder.

"Never you mind, little girl," said Bill Montague gently. "Tilby merely made amends there for many past misdeeds. He knew his danger when he made his stand. And rest assured that he passed out happily and contentedly. We got to him before he died and I know."

"Say, if Jackson was Nightbird all th' time,"

suddenly put in Judge Ryan, "how could he be robbin' th' Lebanon Bank an' then come runnin' in th' front door wid th' crowd at th' same time?"

"Easy," smiled McQuirey. "As he escaped through the back door he purposely loosened his cloak. When the men there shot at him he realized that he was practically cornered. So he fell and lay still. When they came near enough to grab him he left his cloak in their hands and darted straight across the alley toward the courthouse. Doubling around the block toward the Texas Hotel, he tossed his hat aside, hid the silk domino in his pocket and drew forth a green eyeshade. Then he calmly walked right back into the bank with the crowd."

Jack placed his arm tenderly about the sobbing girl's waist and drew her slowly away from the crowd of men. They strolled out toward the grazing cattle, leaving the sound and feel of bloodshed and violence behind them with the talking men.

Since being jarred back to sanity by the sudden realization that Nightbird was not the man he thought he hated—Owens, when he looked back and saw the wild beast he had become in that moment when he had walked forward with the intention of throttling the bandit with his bare hands, Jack had felt deathly sick at his stomach. He had gazed down at the various outlaws who had met violent deaths.

He had looked at the surprised features of the

handsome Cherub while Frank had identified the youth as the soulless killer of MacGregor Gap. He had noted the round dark little bullet hole right under that white left breast where one tiny atom of flying lead, directed by McQuirey's unerring hand, had entered and had stilled that heart forever.

He had looked upon the remains of Jackson the gambler, the man of active life and violent deeds, stopped utterly by a little gun in the hands of Jim Harrison.

Kill! Kill! Kill! That seemed to be man's object and purpose on earth. Life was nothing more than a never-ending struggle of one man against his neighbor from birth to death. Man was ruthless, cruel, ever destroying. Everything he touched he turned into an engine of destruction. Every living thing that fell into man's hands was to be pitied.

The natural reaction had set in on Jack and he was utterly sick of strife and bloodshed. His stomach turned at the thought of the sordid, prosaic, ugly bodies lying back there awaiting burial. Not having made his kill and exulting in the taste of justifiable violence, Jack's feet were held back from the pitfall of ecstasy in the taking of human life.

Thanks to Jim Harrison he had safely navigated the waters of blood violence which take so much of one's finer self away and leave nothing in return save a life or a character such as the

Cherub's, or Jackson's. The watchful hand of the DZX foreman had reached forth and saved his soul the tarnishment of having killed a man.

His arm tightened about the girl's waist as he breathed a prayer of thanks for the safety he began to dimly understand was his.

At this telltale pressure Patty raised her clear eyes and looked long into his face.

Since the day of his fight with Owens, Patty had noticed a difference in Jack which had hurt her. It was like a stiffening steel wire which resisted and rebuffed her. Now, as she read what was in the man's eyes, read his sickness and his misery, her own eyes filled with tears. She drew his head down and tenderly kissed him on his burning eyelids.

"I still have daddy and you," she whispered happily. "Everything else will clear up like mist in the morning sun."

They faced the east as she spoke and almost as if in answer to her words the first shaft of sunlight fell across the valley, gilding the backs of the moving steers a golden brown.

A faint whisper of a morning breeze stirred, rushing to the east to greet the new day and wafting to their nostrils the appetizing odor of the sizzling beef over the fire behind them. Jack's nose twitched and he inhaled hungrily. Then he hugged Patty to him tightly.

"Patty, sweetheart, I love you," he murmured in her ear. "And gee, but I'm hungry."

She laughed delightedly as she caught him by the ears and kissed him firmly on the mouth. For she knew that she had her healthily boyish lover back again. The sky was bright with promise.

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